





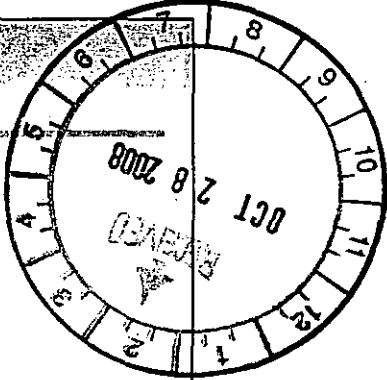
331
01/06

CC-6 (10-07)

Development Services Department
Project Management Division

Casa Mira View
Project No. 91647
October 28, 2008

John S. Fisher
Development Project Manager





1

Development Services Department
Project Management Division

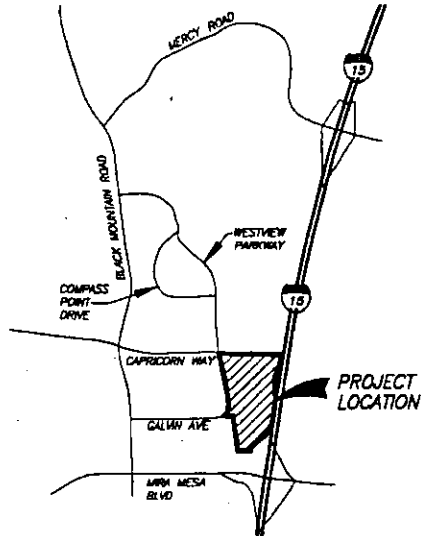
Required Approvals

- Rezone,
- Easement Vacation,
- Vesting Tentative Map,
- Planned Development Permit, and
- Site Development Permit.



2

Development Services Department
Project Management Division
Vicinity Map

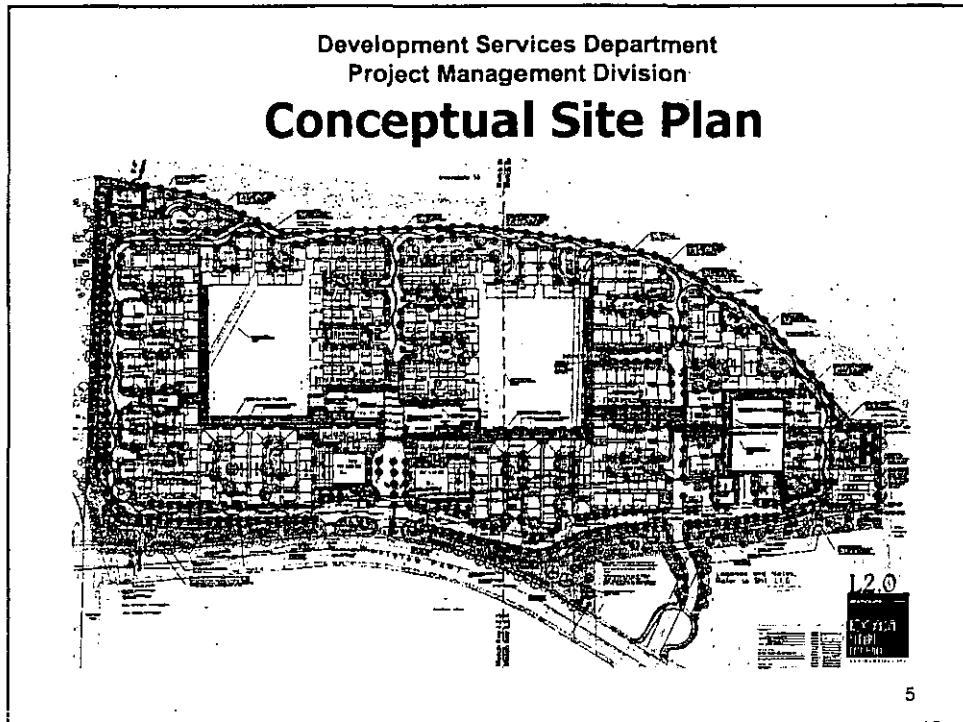


3

Development Services Department
Project Management Division
Existing Aerial View



4



Development Services Department
Project Management Division

Recommendations

- Mira Mesa Community Planning Group voted unanimously to support the project.

6

**Development Services Department
Project Management Division**

Staff Recommendation

- **CERTIFY the EIR No. 91647 and ADOPT the Findings & SOC and MMRP; and**
- **ADOPT Rezone,**
- **APPROVE Easement Vacation, Vesting Tentative Map, Planned Development Permit and Site Development Permit.**





ENVIRONMENTAL IMPACT REPORT

Project No. 91647
SCH No. 2007111095

Subject: CASA MIRA VIEW: VESTING TENTATIVE MAP, SITE DEVELOPMENT PERMIT, PLANNED DEVELOPMENT PERMIT, REZONE AND EASEMENT VACATIONS for the construction of three residential buildings on approximately 41 acres. The residential structures would contain a total of 1,848 residential multifamily dwelling units. Each residential building area would contain a parking structure, supporting recreational uses and amenities, guest parking areas, and shuttle pick-up area. The project's design would result in each of the residential buildings wrapping around an above grade parking structure. In addition to the residential and parking structures, the project proposes to develop clubhouses within residential buildings 1 and 2. Access to the project site would be provided by two signalized driveways off of Westview Parkway. The project site is zoned RM-3-7 within the Mira Mesa Community Planning Area. (LEGAL: Parcels 1 through 6, inclusive, of Parcel Map No. 16194, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, August 21, 1990). Applicant: Scripps Mesa Developers, LLC.

UPDATE: August 27, 2008. Minor revisions have been made to this document when compared to the draft Environmental Impact Report (EIR). The modifications within the environmental document do not affect the environmental analysis or conclusions of the Final EIR. All revisions are shown in a ~~strike through~~ and/or underline format.

CONCLUSIONS:

This Environmental Impact Report (EIR) analyzes the environmental impacts of the proposed Casa Mira View project. The discretionary actions consist of a Vesting Tentative Map, Site Development Permit, Planned Development Permit, Rezone and Easement Vacations.

The project proposes to develop three residential structures on approximately 41 acres. The residential structures would contain a total of 1,848 multifamily dwelling units. The three residential buildings would "wrap" completely around a five-story above grade parking structure that would support the parking requirements for each respective residential building. The parking structures would not be connected to each other. The three parking structures would provide a total of 3,456 automobile parking spaces. In addition to the three parking structures, the project would provide approximately 53 surface parking spaces designated for mail, guests and loading purposes.

Supporting recreational uses would include the development of recreational club houses, recreational centers, swimming pools, cabanas, mini-parks, play areas, water park seating area, mini-park seating areas, outdoor living room areas, barbeque areas, courtyards, and pedestrian walkways/paseos dispersed throughout the three residential areas. The club houses would include the following amenities: corner resident-serving only convenience store, lobby, leasing offices, staff offices, community room, conference room, private theater, aerobics room, racquetball court, and changing rooms. Other outdoor recreational areas would include lap pools, tennis courts, basketball courts, and a bicycle lane along the perimeter of the site.

The project would require vacation of existing unused public utilities and antenna easements as well as several unutilized public sewer and water facilities on site. The construction of new privately maintained sewer, water, and drainage improvements would be provided to support the project.

Lastly, the project would construct an off-site road improvement to Black Mountain Road north of Mercy Road. The improvement would include widening the northbound lanes along the eastern side of the road.

Implementation of the Mitigation, Monitoring and Reporting Program (MMRP), which is included in the EIR as Chapter 10, would reduce the environmental effects of the project to below a level of significance with the exception of significant, unmitigated impacts related to traffic and circulation (direct and cumulative), air quality (direct and cumulative), public services (solid waste) (cumulative), and noise (short-term direct). Implementation of the MMRP would reduce the following impacts to below a level of significance: traffic and circulation (direct), public services (solid waste) (direct), noise (direct), paleontology (direct), and biological resources (direct).

SIGNIFICANT UNMITIGATED IMPACTS:

Traffic and Circulation (Direct and Cumulative)

The community plan Circulation element and land use plan anticipated this intensity of build-out. While that is the case, implementation of the project would have significant direct and cumulative impacts on three street segments associated with Mira Mesa Boulevard and Black Mountain Road. Although mitigation would require the applicant to assure, by permit, construction of traffic improvements to reduce direct and cumulative impacts to the Mira Mesa Boulevard and Black Mountain Road street segments, the impacts would not be reduced to below a level of significance.

In addition, the project would have a significant cumulative impact on the Mira Mesa Boulevard/I-15 southbound onramp. Mitigation would require the applicant to assure, by permit, a fair share payment towards the construction of the I-15 managed lanes south segment project or a phased approach for their fair share contribution. There is no certain method of determining whether or not the fair-share contribution to Caltrans would actually fully mitigate the project's cumulative contribution to significant impacts at the Mira Mesa Boulevard street segment from Westview Parkway to I-15; and if construction of the managed lanes south segment project is not completed by Caltrans, impacts would remain significant and unmitigated.

Air Quality (Direct and Cumulative)

Direct and cumulative particulate matter with an aerodynamic diameter of less than 10 microns PM₁₀, Carbon Monoxide (CO) and volatile organic compounds (VOC) emission impacts would result due to the estimated 11,088 average daily trips generated by the project. There are no feasible mitigation measures available to reduce long-term operational PM₁₀, CO and VOC emissions to less than significant levels. The project has included shuttle services, which would serve to reduce operational emissions, although the amount of reduction is difficult to quantify. It is not feasible for the applicant to require emission control devices on private vehicles associated with the project. There are no other feasible mitigation measures to reduce mobile source emissions to less than significant levels, therefore, the project would result in significant and unavoidable regional operations impacts from PM₁₀, CO and VOC emissions.

Public Facilities and Services (Solid Waste) (Cumulative)

The demand for solid waste disposal services would result in significant cumulative impacts. Combined with other projects in the Mira Mesa Community Plan area and the region, the impact on landfill capacity would be cumulatively significant due to the general shortage of suitable landfill disposal areas. Waste management actions (e.g., provisions for recycling) taken by the development would help reduce the contribution of the project to solid waste

disposal impacts. However, the cumulative impact would remain significant and unmitigable because full mitigation of solid waste impacts require actions which are beyond the control of any one project (e.g., new or expanded landfills).

Noise (Short-Term Direct)

Due to the number of proposed dwelling units and the need to phase construction activities, the project would result in significant, short-term, direct noise impacts to future on-site residents. Implementation of mitigation measures requiring restrictions on construction equipment, staging areas and temporary noise attenuation devices would reduce direct construction noise impacts but not to below a level of significance.

MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

In an effort to reduce or avoid those impacts identified as potentially significant with implementation of the proposed project, the following summary of mitigation measures have been incorporated into the project.

Traffic and Circulation (Direct and Cumulative)

Implementation of the project would have direct and cumulative impacts on intersections, street segments and freeway ramps within the project area. Three street segments and three intersections would be significantly impacted in the near-term condition. A total of three street segments and four intersections would be impacted in the build out (year 2030) condition.

Intersection impacts to Mira Mesa Boulevard and Black Mountain Road would be fully mitigated by implementation of Mitigation Measure TRAF-1, which would require the applicant to assure, by permit, the construction of a northbound turn lane at the intersection on Mira Mesa Boulevard and Black Mountain Road. The Mercy Road and Black Mountain Road intersection would be fully mitigated through the implementation of Mitigation Measure TRAF-2, which would require the applicant to assure, by permit, the construction of a third northbound and third southbound thru lanes and transitions on Black Mountain Road from Mercy Road transitioning to four lanes prior to the Peñasquitos Canyon Creek Bridge. Impacts related to the Hillery Drive and Black Mountain Road intersection would be fully mitigated with the implementation of Mitigation Measure TRAF-3, which would require the applicant to assure, by permit, the construction of a northbound right turn lane at the intersection of Black Mountain Road and Hillery Drive. In addition, impacts to the Gold Coast Drive and Black Mountain Road intersection would be fully mitigated with the implementation of Mitigation Measure TRAF-4, which would require the applicant to assure, by permit, the widening of eastbound and westbound approaches and assure an additional westbound right turn lane at the intersection of Black Mountain Road and Gold Coast Drive.

Therefore, implementation of Mitigation Measures TRAF-1 through TRAF-4 would reduce intersection direct and cumulative impacts to less than significant levels.

Implementation of the project would have significant direct and cumulative impacts on three street segments associated with Mira Mesa Boulevard and Black Mountain Road. Mitigation Measures TRAF-1 and TRAF-2 would also partially reduce impacts to the Mira Mesa Boulevard and Black Mountain Road street segments. In addition, Mitigation Measure TRAF-5 would require the applicant to assure, by permit, payment of fair-share fees to reduce impacts to the Mira Mesa Boulevard street segment from I-15 onramps to Westview Parkway. Mitigation Measure TRAF-6 would require the applicant, by permit, provide improvements to Mira Mesa Boulevard and Westview Parkway. Implementation of Mitigation Measures TRAF-1, TRAF-2, TRAF-5 and TRAF-6 would each partially reduce impacts to the three street segments, but not to below a level of significance.

In addition, the project would have a significant cumulative impact on the Mira Mesa Boulevard/I-15 southbound onramp. Mitigation Measure TRAF-5 would require the applicant to assure, by permit either a fair share payment or a phased fair share contribution towards the construction of the I-15 managed lanes south segment project. Therefore, implementation of Mitigation Measure TRAF-5 would help reduce freeway ramp impacts; however, it would not reduce them to below a level of significance.

Air Quality (Direct and Cumulative)

The project would result in the exceedance of the maximum daily construction emissions threshold related to Nitrogen Oxide (NO_x) resulting in a significant direct short-term air quality impact. With implementation of Mitigation Measures AQ-1 and AQ-2 direct short-term construction impacts to the ambient air quality would be mitigated to below a level of significance.

The project would also result in direct and cumulative PM₁₀, CO and VOC emission impacts due to the estimated 11,088 average daily trips generated by the project. There are no feasible mitigation measures available to reduce long-term operational PM₁₀, CO and VOC emissions to less than significant levels. Therefore, the project would result in significant and unavoidable regional operations impacts from PM₁₀, CO and VOC emissions.

Public Facilities and Services (Direct)

The project proposes to construct 1,848 residential units and therefore would result in a significant impact on the Miramar Landfill capacity. Mitigation measures require the preparation of a waste management plan. With implementation of Mitigation Measures PFS-1 through PFS-5, the project's direct impact on solid waste disposal would be mitigated to below a level of significance. As previously discussed, due to the size of the project (1,848 units) cumulative impacts would remain significant and not mitigable.

Noise (Direct)

Sensitive receptors located adjacent to the project site would be exposed to construction noise levels which would exceed the City's standard of 75 dB(A) CNEL. As a consequence, sensitive receptors would be significantly impacted. Implementation of noise Mitigation Measures NOI-1 through NOI-6 would reduce direct short-term impacts to below the 75 dB(A) significance threshold for construction noise. Therefore, construction impacts to sensitive receptors would be reduced to below a level of significance.

Future development of the subject property would be exposed to traffic noise levels which would exceed the City's standard of 65 dB(A) CNEL. As a consequence, the outdoor northeastern recreational area would be significantly impacted without noise attenuation. Mitigation Measure NOI-9 would require the construction of a permanent noise barrier between the northeastern recreational area and I-15 to reduce noise levels to below the 65 dB(A) significance threshold for outdoor recreational areas. Therefore, with implementation of Mitigation Measure NOI-9, direct noise impacts to outdoor recreational areas would be reduced to below a level of significance.

Paleontology (Direct)

The project would involve substantial grading within potentially fossil-bearing geologic formations to prepare the site for development which may result in significant impacts to paleontological resources. The applicant would retain a qualified paleontologist and/or paleontological monitor to implement a paleontological monitoring program. The monitor would be present full-time during grading/excavation/trenching activities that could result in impacts to formations with high and moderate resource sensitivity. Any discovered fossil sites would be recorded by the paleontologist at the San Diego Natural History Museum. With implementation of these actions contained in Mitigation Measure PALEO-1, the project's direct impacts on paleontological resources would be mitigated to below a level of significance.

Biological Resources (Direct and Indirect):

~~The One special status bird species,~~ California horned lark, has a high potential to nest on site. Development of the site could potentially impact this species during nesting if the site is graded during the breeding season. Implementation of Mitigation Measure BIO-1 would avoid potential direct impacts to the California horned lark, by requiring nesting bird surveys within 72 hours of any vegetation clearing if development occurs within the breeding season. If occupied nests are present within 500 feet of the construction area, impacts to vegetation shall be avoided until the juvenile birds have fledged. Therefore, implementation of Mitigation Measure BIO-1 would reduce indirect impacts to the California horned lark to below a level of significance.

Some bird species present or potentially present on site may nest within the line of trees along the eastern fenceline. In addition, short-term indirect impacts to nesting birds could potentially result from project construction. Mitigation Measure BIO-1 would also apply to reduce impacts to nesting birds along with implementation of Mitigation Measure BIO-2 which ensures compliance with the Migratory Bird Treaty Act. Mitigation Measure BIO-3 would require a biologist to ensure that no raptors are nesting within the development area during the raptor breeding season. If construction occurs during the raptor breeding season, a preconstruction survey would be conducted and no construction would be allowed within 300 to 500 feet of any identified nests until the young have fledged. If the biologist determines that raptors are nesting, an active nest shall not be removed until after the breeding season. Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3 would reduce potential indirect impacts to bird species to below a level of significance.

The off-site traffic improvements could result in indirect impacts to sensitive biological resources due to the fact that a portion of the road improvement (approximately 1,600 square feet) is located within the MHPA of the City's MSCP Subarea Plan and sensitive habitat is located within Los Peñasquitos Creek. These short-term indirect impacts could include dust, noise, lighting, sedimentation, erosion, and pollutant run-off. Implementation of Mitigation Measure BIO-4 would reduce potential significant offsite impacts to nesting birds to less than significant levels. In addition, implementation of Mitigation Measures LU-1 and LU-2 would reduce off-site short-term indirect impacts to special status wildlife species and sensitive vegetation communities to below a level of significance. Therefore, implementation of Mitigation Measures BIO-4, LU-1 and LU-2 would reduce potential indirect impacts to sensitive biological resources to below a level of significance.

ALTERNATIVES FOR REDUCING SIGNIFICANT UNMITIGATED IMPACTS:

None of the project alternatives analyzed in this EIR would completely eliminate all of the significant impacts of the project. Selection of any of the project alternatives would, however, reduce the project's contribution to one or more of the significant impacts.

No Project Alternative:

The No Project Alternative assumes the project site would not be developed by the project and would remain in its current undeveloped condition. This alternative would avoid all impacts associated with the project. However, it is noted that the project site could still potentially be developed with 1,848 residential uses due to the Mira Mesa Community Plan designation of medium-high density residential use, as well as the existing development agreement which indicates that the site would be developed with 1,848 residential dwelling units.

570-Unit Alternative

This alternative would have the same footprint as the project and would be developed with fewer residential units (i.e., 570 units). In an effort to evaluate an alternative that would reduce the project's greatest impacts such as traffic/circulation, air quality, public facilities; a reduction of 1,278 dwelling units from the project's 1,848 units would be required, resulting in a total of 570 multifamily dwelling units. Access to the site would remain the same for this alternative but the off-site traffic improvements would not be part of this alternative.

This alternative would result in a reduction to the amount of affordable housing units provided on site. This reduced density alternative could provide the 570 units in two-story residential buildings. This alternative would result in similar impacts to paleontology, land use, water quality, geology, and human health/public safety/hazardous materials. Impacts to traffic and circulation, air quality, noise, public facilities and services, aesthetics, biology, and energy conservation would be less when compared to the project. However, impacts associated with air quality, public facilities and services (solid waste), and noise would remain significant and unmitigable. Overall, this alternative would reduce some of the project's identified significant environmental impacts, but would not meet most of the project objectives.

1,032-Unit Alternative

The 1,032-Unit Alternative would utilize the same footprint as the project and would be developed with fewer residential units. The project traffic engineer calculated the reduced number of units that could be provided that would reduce significant but mitigable traffic impacts to less than significant levels. A reduction of 816 dwelling units from the project's 1,848 units, for a total 1,032 multifamily dwelling units, would be necessary to reduce the project's mitigable traffic impacts to below a level of significance. This alternative would also result in a reduction to the amount of affordable housing units provided on site. The 1,032-Unit Alternative could provide the 1,032 units in four-story residential buildings. Access to the site would remain the same for this alternative, and offsite traffic impacts would also be a part of this alternative.

This alternative would result in similar impacts to paleontology, land use, water quality, geology, and human health/public safety/hazardous materials. Impacts to traffic and circulation, air quality, noise, public facilities and services, aesthetics, biology, and energy conservation would be less than the project. However, impacts associated with traffic and circulation, air quality, public facilities and services (solid waste), and noise would remain significant and unmitigable. Overall, this alternative would reduce some of the project's identified significant environmental impacts, but would not meet most of the project objectives.

PUBLIC REVIEW:

The following individuals, organizations, and agencies received a copy or notice of the draft EIR and were invited to comment on its accuracy and sufficiency.

Distribution:

FEDERAL GOVERNMENT

Commanding Officer, Marine Corps Air Bases Western Area, MCAS Miramar (13)
U.S. Fish and Wildlife Service (23)

STATE OF CALIFORNIA

California Air Resources Board (9)
Department of Transportation, District 11 (31)
California Department of Fish and Game (32)
State Clearinghouse (87)
Native American Heritage Commission (56)
California Highway Patrol (58)

COUNTY OF SAN DIEGO

Air Pollution Control District (65)

CITY OF SAN DIEGO

Mayor's Office (91)
Councilmember Peters, District 1 (MS 10A)
Councilmember Faulconer District 2 (MS 10A)
Councilmember Atkins, District 3 (MS 10A)
Councilmember Young, District 4 (MS 10A)
Councilmember Maienschein, District 5 (MS 10A)
Councilmember Frye, District 6 (MS 10A)
Councilmember Madaffer, District 7 (MS 10A)
Councilmember Hueso, District 8 (MS 10A)
City Planning and Community Investment Department
 Long-Range Planning
 Facilities Financing Planning (479)
Development Services
 EAS
 Transportation Development (78)
 Engineering
 Planning Review
 Wastewater
 Water
 Landscape

DPM

Water Department
Housing Commission
Fire and Life Safety Services (79)
Library Department, Government Documents (81)
Central Library (81A)
Mira Mesa Branch Library (315)
Environmental Services Department (93A)
Fire & Life Safety Services (79)
Police Department (84)
Park & Recreation Department (89)
City Attorney, MS59
Scripps Ranch Community Service Center (442)

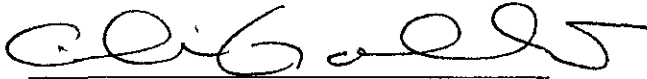
OTHER AGENCIES, ORGANIZATIONS AND INDIVIDUALS

San Diego Association of Governments (108)
San Diego Transit Corporation (112)
San Diego Gas and Electric Company (114)
Metropolitan Transit Development Board (115)
San Diego City Schools (132)
Greater San Diego Chamber of Commerce (157)
Environmental Law Society (164)
Sierra Club (165)
San Diego Natural History Museum (166)
San Diego Audubon Society (167)
Jim Puegh (167A)
California Native Plant Society (170)
Stuart Hurlbert (172)
Center for Biological Diversity (176)
Endangered Habitats League (182A)
San Diego Natural History Museum (213)
Mira Mesa Community Planning Group (310)
Ken Harper, Editor, Mira Mesa Journal (312)
Friends of Penasquitos Preserve, Inc. (313)
Commanding General, Community Plans & Liaisons, MCAS Miramar Air Station (314)
Miramar College (316)
Marion Bear, Chairman, Marion Bear Natural Park Recreation Council (317)
Scripps Ranch Community Planning Group (437)
Miramar Ranch North Planning Committee (439)
Scripps Ranch Civic Association (440)
Stuart Posnock, Scripps Mesa Developers, Applicant
John Leppert, Leppert Engineering, Consultant

RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Environmental Impact Report finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Environmental Impact Report and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Environmental Impact Report, the Mitigation Monitoring and Reporting Program and any Initial Study material are available in the office of the Entitlements Division for review, or for purchase at the cost of reproduction.



Cecilia Gallardo, AICP
Assistant Deputy Director

June 13, 2008
Date of Draft Report

August 27, 2008
Date of Final Report

Analyst: Shearer – Nguyen

LETTERS OF COMMENT AND RESPONSES

This section of the Final EIR presents copies of comments on the Draft EIR received in written form during the public review period, and it provides the City of San Diego's responses to those comments. Each comment letter is lettered and the issues within each comment letter are bracketed and numbered. Comment letters are followed by responses, which are numbered to correspond with the bracketed comment letters.

The City's responses to comments on the Draft EIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the California Environmental Quality Act (CEQA) Guidelines, the City is not required to respond to all comments on the Draft EIR, but only those comments that raise environmental issues. See CEQA Guidelines Section 15088, subd. (a). Case law under CEQA recognizes that the City need only provide responses to comments that are commensurate in detail with the comments themselves. In the case of specific comments, the City has responded with specific analysis and detail; in the case of a general comment, the reader is referred to a related response to a specific comment, if applicable. The absence of a specific response to every comment does not violate CEQA if the response would merely repeat other responses.

LIST OF AGENCIES AND INDIVIDUALS THAT COMMENTED ON THE DRAFT EIR

This section contains all written comments received during the public comment period as well as responses to these comments. *Table 1* provides an index to commenters and comment letters.

TABLE 1
Commenters and Comment Letters

Document Letter	Organization/Commenter
Comment Letter A	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Terry Roberts
Comment Letter B	California Native American Heritage Commission, Dave Singleton
Comment Letter C	California Department of Transportation, Jacob Armstrong
Comment Letter D	California Department of Fish and Game, Edmund Pert
Comment Letter E	United States Marine Corps, Marine Corps Air Station Miramar, C.L. Thornton
Comment Letter F	San Diego Association of Governments, Travis Cleveland
Comment Letter G	Bob Dingeman

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Comment Letter A
California Governor's Office of Planning and Research, Terry Roberts
Dated August 1, 2008

Comment Letter A



STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



August 1, 2008

E. Shearer-Nguyen
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Subject: Casa Mira View
SC#s: 2007111695

Dear E. Shearer-Nguyen:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document (Details Report) please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 31, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's two-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-2613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

A-1 The City acknowledges the State Clearinghouse's input and comment. This letter is also a formal disclosure of which State agencies received a copy of the Draft EIR for review and acknowledges that the City has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA. The comment does not raise any substantive issues relative to the Draft EIR, and therefore no additional response is provided.

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CASA MIRA VIEW EIR LETTERS OF COMMENT AND RESPONSES

Document Details Report State Clearinghouse Data Base

SCH# 2007111093
Project Title Casa Mira View
Lead Agency San Diego, City of

Type EIR Draft EIR
Description Vesting Tentative Map, Site Development Permit, Planned Development Permit, Rezone and Easement Vacations for the construction of three residential buildings on approximately 41 acres. The residential structures would contain a total of 1,848 residential multifamily dwelling units. Each residential building area would contain a parking structure, supporting recreational uses and amenities, guest parking areas, and shuttle pick-up areas. The project's design would result in each of the residential buildings wrapping around an above grade parking structure. In addition to the residential and parking structures, the project proposes to develop clubhouses within residential buildings 1 and 2. Access to the project site would be provided by two signalized driveways off of Westview Parkway. The project site is zoned RMA-3-7 within the Mira Mesa Community Planning Area. (LEGAL: Parcels 1 through 6, inclusive, of Parcel Map No. 16194, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, August 21, 1990).

Lead Agency Contact

Name E. Shearer-Nguyen
Agency City of San Diego
Phone (619) 448-5369
email
Address 1222 First Avenue, MS-501
City San Diego
State CA
Zip 92101
Fax

Project Location

County San Diego
City San Diego
Region
Lat / Long 32° 55' 12" N / 117° 7' 13" W
Cross Streets Mira Mesa Boulevard/Gavin Way/Westview Parkway
Parcel No.
Township
Range
Section
Base

Proximity to:

Highways SR-56, SR-163, I-15
Airports McCAS Miramar
Railways
Waterways Second San Diego Aqueduct/ Miramar Reservoir
Schools Walker ES, Encino ES, Hoge ES, Wangenheim MS
Land Use RMA-3-7 (Residential - Multiple Unit)

Project Issues Aesthetic/Visual; Air Quality; Drainage/Absorption; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Sewer Capacity; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Wildlife; Land Use; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 11; Department of Housing and Community Development; Air Resources Board, Transportation Projects; Integrated Waste Management Board; Regional Water Quality Control Board, Region 9; Native American Heritage Commission

Date Received 06/17/2008
Start of Review 06/17/2008
End of Review 07/31/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

A-1

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STATE OF CALIFORNIA

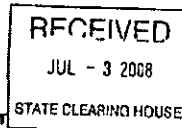
Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 304
SACRAMENTO, CA 95814
(916) 663-4251
Fax: (916) 667-5390
Web Site: www.nahc.ca.gov
e-mail: na_hc@pachet.net



June 26, 2008



Clear
7-31-08
e

Ms. E. Shearer-Nguyen, Planner
CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT
1222 First Avenue, MS 501
San Diego, CA 92101

Re: SCH#2007111095, CEQA Notice of Completion, draft Environmental Impact Report (DEIR) for a Condominium Project comprised of 1,848 units located in the Mira Mesa Area of the City of San Diego, San Diego County, California

Dear Ms. Shearer-Nguyen:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916)653-7278/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
 - The Native American Heritage Commission (NAHC) has conducted a Sacred Lands File (SLF) search of the project area and identified no Native American cultural resources in the APE. Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - The NAHC also advises the use of Native American Monitors, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- ✓ Lack of surface evidence of archaeological resources does not preclude their subsurface existence.

A-2 Refer to responses to comments B-1 through B-9.

A-2

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CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

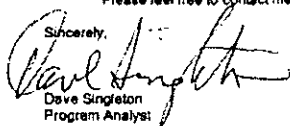
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

✓ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

✓ Lead agencies should consider evidence, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Co: State Clearinghouse

A-2

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CASA MIRA VIEW EIR LETTERS OF COMMENT AND RESPONSES



State of California - The Resources Agency
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
 South Coast Region
 4949 Viewridge Avenue
 San Diego, CA 92123
 (858) 467-4201

ARNOLD SCHWARZENEGGER, Governor



July 21, 2008

Ms. Elizabeth Shearer-Nguyen
 City of San Diego
 Development Services Center
 1222 First Avenue, Mail Station 501
 San Diego, California 92101



CLEAR
 7.31.08
 E

Subject: Comments on the Draft Environmental Impact Report for the Casa Mira View Project, City of San Diego, San Diego County, California (Project No. 91647; SCH #200711095)

Dear Ms. Shearer-Nguyen:

The Department of Fish and Game (Department) has reviewed the above-referenced draft Environmental Impact Report (EIR) dated June 2008. The comments provided herein are based on information provided in the draft EIR and associated documents (including the Biological Resources and Impacts Analysis Letter for the Casa Mira View Project Site, prepared by Dudek, dated March 24, 2008), our knowledge of sensitive and declining vegetation communities in the City of San Diego, and our participation in regional conservation planning efforts.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA: Sections 15368 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) Program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan.

The project involves the construction of three 5-story residential buildings, totaling 1,848 dwelling units on an approximately 41 acre site. The property is located west of Interstate 15, east of Westview Parkway, and south east of Capricorn Way in the Mira Mesa community of the City of San Diego. The project site is currently undeveloped and has been graded under a prior City approved permit. The development proposal also requires improvements to a portion of Black Mountain Road which extends through the City's Multi-Habitat Planning Area (MHPA). No sensitive vegetation communities were mapped on the project site, however there are potential indirect impacts to sensitive biological resources off-site and to portions of the MHPA to the City's MSCP Subarea Plan.

We offer our recommendations and comments to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with all applicable requirements of the approved Subarea Plan.

A-3 Refer to responses to comments D-1 through D-12.

A-3

Conserving California's Wildlife Since 1870

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CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES


Ms. Shearer-Nguyen
July 21, 2008
Page 2 of 2

1. The discussion pertaining to MSCP Land Use Adjacency Guidelines (page 4.1-19) should include the brush management guidelines (eight items currently listed per Section 1.4.3 of the MSCP Subarea Plan).
2. The Biological Resources and Impacts Analysis letter (and Section 4.7 of the DEIR) mentions the Black Mountain Road widening activities extending approximately 800 feet north of the Mercy Road Intersection, whereas Section 4.2 of the DEIR (page 4.2-45) states a distance of 960 feet north of Mercy Road, until the existing Black Mountain Road bridge. The final document should provide the correct distance for this particular section of road improvement. If the distance is 960 feet, revisions to the biological impact analysis should be provided and discussion/analysis as to whether additional impacts would occur to sensitive biological resources (including areas in proximity to Los Peñasquitos Creek).
3. In accordance with the City's Biology Guidelines, the starting breeding date for the least Bell's vireo (page ES-10) should be revised from March 17 to March 15.
4. Revisions to the breeding date for the least Bell's vireo are required in Section 4.1.7 *Mitigation Monitoring and Reporting* of the EIR. Currently March 1 – August 15 is referenced, whereas March 15 – September 15 should be provided per the City's Biology Guidelines.
5. Section 4.7 of the DEIR states that the California horned lark (*Eremophila alpestris actia*) is currently listed as state Species of Special Concern (SSC). According to the current *California Bird Species of Special Concern* (April 10, 2008) this species is no longer identified as SSC (http://www.dfg.ca.gov/wildlife/species/ssc/docs/Table1_FIN.pdf). However, this species are still afforded protective measures per Sections 3503 and 3503.5 of the Fish and Game Code.
6. The raptor breeding season referenced under mitigation measure BIO-3 does not correspond to raptor breeding season referenced in mitigation measure BIO-4. The raptor breeding dates typically extend from January 15 through August 15. Please ensure that these dates are consistent throughout all sections of the final EIR (e.g., *Executive Summary*, *Section 4.7.4 Mitigation Monitoring and Reporting*, and *Section 10.2 Land Use*).
7. A portion of the off-site improvements to Black Mountain Road would encroach into the City's MHPA. Per the City's Biology Guidelines any development inside the MHPA which identifies the occurrence of Cooper's hawk (*Accipiter cooperii*) must include an impact avoidance area of 300 feet from any nesting sites.

A-3

We appreciate the opportunity to comment on the DEIR for this project and to assist the City of San Diego in further minimizing and mitigating project impacts to biological resources. If you have questions or comments regarding this letter, please contact Paul Schlitt of the Department at (858) 637-5510.

Sincerely,


Edmund J. Perl
Regional Manager
South Coast Region

cc: Paul Schlitt, Department of Fish and Game, San Diego
State Clearinghouse, Sacramento
David Zautendyk, U.S. Fish and Wildlife Service, Carlsbad

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Comment Letter B

Native American Heritage Commission, Dave Singleton

Dated June 26, 2008

Comment Letter B

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
916 CAPITOL MALL, ROOM 904
SACRAMENTO, CA 95814
(916) 855-0251
Fax (916) 857-0250
Web Site: www.nahc.ca.gov
e-mail: nahe@pactnet.net

June 26, 2008

Ms. E. Shearer-Nguyen, Planner
CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT
1222 First Avenue, MS 501
San Diego, CA 92101

Re: SCH2007111095, CEQA Notice of Completion, draft Environmental Impact Report (EIR) for a Condominium Project comprised of 1,848 units located in the Mira Mesa Area of the City of San Diego, San Diego County, California

Dear Ms. Shearer-Nguyen,

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(1)(C) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect (APE)", and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible recorded sites in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916) 653-7278 <http://www.chris.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- The Native American Heritage Commission (NAHC) has conducted a Sacred Lands File (SLF) search of the project area and identified no Native American cultural resources in the APE. Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- ✓ Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
- The NAHC also advises the use of Native American Monitors, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resource may be known only to a local tribe(s).
- ✓ Lack of surface evidence of archaeological resources does not preclude their subsurface existence.

B-1

Comment noted. This comment identifies the Native American Heritage Commission's (NAHC) role and its relationship with the California Environmental Quality Act (CEQA). The Draft EIR, in *Section 5.2*, addresses potential impacts to historical resources, including archaeological resources. As noted on Page 5-2 of the Draft EIR, the proposed project would not impact a prehistoric or historic building, structure, or site, or any existing religious or sacred uses. In addition, the project would not disturb any human remains. As such, significant impacts to historical resources would not result.

B-2

As discussed in *Section 5.2* of the Draft EIR, the proposed project would not impact a prehistoric or historic building, structure, or site, or any existing religious or sacred uses. In addition, the project would not disturb any human remains. As discussed in the Phase I Environmental Assessment included as *Appendix J* to the Draft EIR, historical land uses have been documented on the project site or at nearby properties (Geocon 2006). The proposed project would not impact a prehistoric or historic building, structure, or any existing religious or sacred uses. Since the site has been extensively graded in the past, it is not anticipated that archaeological resources or human remains would be impacted by the proposed project, and no record search was determined to be necessary. A monitor will be present, however, during site grading of Pleistocene soils, as identified in mitigation measure PALEO-1 on Pages 4.6-2 through 4.6-8 of the Draft EIR.

B-1

B-2

B-3

B-4

B-5

- B-3** Refer to response to comment B-2. It is noted that the requested SLF search of the project area is not required, as under Senate Bill 18, consultation with Native Americans is required only for Specific Plans and their Amendments, General Plan Amendments, or when designating land as Open Space. Since the proposed project would not involve these types of actions, further evaluation, including consultation and/or the SLF search, is not required.
- B-4** Refer to responses to comments B-1 and B-2.
- B-5** Refer to responses to comments B-1 and B-2.

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CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

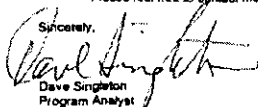
CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by the Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American remains and any associated grave sites.

Health and Safety Code §7050.5, Public Resources Code §5007.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Lead agencies should consider avoidance, as defined in §15379 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
 Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

B-5

B-6

B-7

B-8

- B-6** Refer to responses to comments B-1 and B-2. Grading and/or excavation would be stopped if human remains are encountered. In such a case, all state and federally mandated procedures would be followed.
- B-7** Refer to responses to comments B-1 and B-2. The proposed project would avoid significant impacts to cultural resources since no significant impacts were identified in the Draft EIR, *Section 5.2*.
- B-8** The City appreciates NAHC's review and comments on the Draft EIR and will coordinate with the requested program analyst as necessary.

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Native American Contacts
San Diego County
June 26, 2008

Barona Group of the Capitan Grande
Rhonda Welch-Scalco, Chairperson
1095 Barona Road Diegueno
Lakeside CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon CA 92021
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120 Diegueno
Boulevard CA 91905
(619) 478-2113
619-478-2125

Viejas Band of Mission Indians
Bobby L. Barrett, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine CA 91903
daguiar@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

San Pasqual Band of Mission Indians
Allan E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center CA 92082
(760) 749-3200
(760) 749-3876 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine CA 92001
(619) 445-0385

Santa Ysabel Band of Diegueno Indians
Johnny Hernandez, Spokesman
PO Box 130 Diegueno
Santa Ysabel CA 92070
brandietaylor@yahoo.com
(760) 765-0845
(760) 765-0320 Fax

Jamul Indian Village
William Mesa, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

B-9

B-9

Refer to response to comment B-3. This attachment, titled "Native American Contacts, San Diego County June 26, 2008," provides a list of contact information for eight tribes within San Diego County.

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5087.84 of the Public Resources Code and Section 5087.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007111099; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Casa Mira View Condominium Project located in the Mira Mesa Area of the City of San Diego, San Diego County, California.

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Comment Letter C
State of California Department of Transportation, Jacob Armstrong
Dated July 31, 2008

Comment Letter C

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCIES

DEPARTMENT OF TRANSPORTATION

District 11
Planning Division
4150 Taylor Street, MS 240
San Diego, CA 92110
PHONE: (619) 688-6960
FAX: (619) 688-3336



*Flow over power
Reverence of power*

July 31, 2008

11-SD-15
PM 15:02
Casa Mira View DEIR

Ms. Elizabeth Shearer-Nguyen
City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101-4155

Dear Ms. Shearer-Nguyen,

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Environmental Impact Report (EIR) SC11 2007111095, for the Casa Mira View Project. Caltrans has the following comments:

- It is suggested the fair share identified for impacts to I-15 in the amount of \$1,572,000 be conditioned by the City for direct payment to Caltrans to be used towards the I-15 Managed Lanes project. Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through the City's establishment of an FBA, a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement. C-1
- Caltrans will not be held responsible for any noise impacts to this development, including from the ultimate configuration of I-15. C-2
- As correctly identified in the EIR, the I-15 Managed Lanes Galvin Avenue Direct Access Ramp (DAR) Alternative would impact the Casa Mira View development, which would result in the restriction of 228 dwelling units due to the Direct Access Ramp connecting Galvin Avenue to I-15, as it would cut through the southerly portion of the Casa Mira View development. It is recommended that Phase II of the project be conditioned contingent upon the determination by Caltrans on the preferred DAR alternative. C-3
- On Page 3-10, the Eastern connection and Maya Linda Road alternatives as part of the I-15 Managed Lanes Project have been dropped and will not be studied any further. C-4
- Appendix B - Traffic Impact Analysis, 10-4 - Caltrans ILV Analysis response by Urban Systems Associations: Caltrans appreciates the City's request for this analysis. It is clearly understood by Caltrans that ILV's are not a method by which to establish a level of significance or threshold as it pertains to CEQA. An ILV analysis is only a quick tool used by Caltrans District 11 staff as a reasonable comparison to highway capacity software analysis. Although not currently identified in the Caltrans statewide traffic guidelines, District 11 has made such analysis a policy for any C-5

Caltrans improves mobility across California

C-1 This comment identifies Caltrans' review of the proposed project and that the letter provides comments on the Draft EIR. This comment does not raise any substantive issues relative to the Draft EIR, and therefore no additional response is provided.

C-2 This suggestion does not raise any issues relating to the adequacy of the Draft EIR. Mitigation measure TRAF-5 requires that the funds be paid to the satisfaction of the City Engineer because the City is lead agency and can only control its own actions, not those of Caltrans. Based on the commenter's apparent willingness to cooperate, TRAF-5 will be amended to require that the City Engineer then provide funds to Caltrans. This revision does not raise important new issues related to significant effects on the environment and does not affect the significance conclusions contained in the Draft EIR.

C-3 This comment does not address the adequacy of the Draft EIR. This comment raises a legal issue regarding Caltrans' I-15 project rather than an issue relating to the adequacy of the Draft EIR. The City presumes that Caltrans' EIR analyzes and mitigates all impacts of its project.

C-4 Comment noted. However, this comment does not address the adequacy of the Draft EIR. In addition, conditioning this project as proposed by the commenter would be inappropriate because the proposed condition is not reasonably related to mitigating impacts of the project. The Caltrans DAR project is a proposed regional facility, the need for which is not

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**CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES**

generated by the proposed Casa Mira View project.

- C-5** The text of the Draft EIR has been modified to relay that Caltrans has dropped the eastern connection and Maya Linda Road Alternatives as part of the I-15 Managed Lanes project, and that they are currently analyzing two alternatives (Galvin Avenue and Hillery Drive). Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.
- C-6** Comment regarding the utility of the ILV analysis contained in the Draft EIR is noted. This comment does not address the adequacy of the Draft EIR and no further response is required.

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Ms. Elizabeth Shearer-Nguyen
July 31, 2008
Page 2

traffic study submittal, whether reviewed under a Caltrans permit, design review, or local agency CEQA review

C-6

- Any work performed within Caltrans right-of-way will require discretionary review and approval by the Department.

C-7

If you have any questions regarding this project, please contact Trent Clark, Development Review Branch, at (619) 688-3140.

C-8

Sincerely,


JACOB M. ARMSTRONG, Branch Chief
Development Review Branch

C-7 As described on Pages 1-7 and 3-39 of the Draft EIR, the project may result in encroachment to Caltrans I-15 right-of-way due to proposed storm drain improvements. If encroachment is required, discretionary review and approval will be requested from Caltrans.

C-8 The City acknowledges Caltrans' review and comments on the Draft EIR and will coordinate with the requested branch chief as necessary.

"Caltrans improves mobility across California"

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Comment Letter D
California Department of Fish and Game, Edmund J. Pert
Dated July 21, 2008

Comment Letter D

State of California - The Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(619) 467-4201

July 21, 2008

Ms. Elizabeth Shearer-Nguyen
City of San Diego
Development Services Center
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Comments on the Draft Environmental Impact Report for the Casa Mira View Project, City of San Diego, San Diego County, California (Project No. 91647; SCH #2007111095)

Dear Ms. Shearer-Nguyen:

The Department of Fish and Game (Department) has reviewed the above-referenced draft Environmental Impact Report (EIR) dated June 2008. The comments provided herein are based on information provided in the draft EIR and associated documents (including the Biological Resources and Impacts Analysis Letter for the Casa Mira View Project Site, prepared by Dudek, dated March 24, 2008), our knowledge of sensitive and declining vegetation communities in the City of San Diego, and our participation in regional conservation planning efforts.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; Sections 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and other sections of the Fish and Game Code. The Department also administers the National Community Conservation Planning (NCCP) Program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan.

The project involves the construction of three 5-story residential buildings, totaling 1,848 dwelling units on an approximately 41 acre site. The property is located west of Interstate 15, east of Westview Parkway, and south east of Capricorn Way in the Mira Mesa community of the City of San Diego. The project site is currently undeveloped and has been graded under a prior City approved permit. The development proposal also requires improvements to a portion of Black Mountain Road which extends through the City's Multi-Habitat Planning Area (MHPA). No sensitive vegetation communities were mapped on the project site, however there are potential indirect impacts to sensitive biological resources off-site and to portions of the MHPA to the City's MSCP Subarea Plan.

We offer our recommendations and comments to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with all applicable requirements of the approved Subarea Plan.

Conserving California's Wildlife Since 1870

D-1 This comment is in reference to the California Department of Fish and Game's (CDFG's) review of the Draft EIR and the Biological Resources and Impact Analysis for the project, and highlights CDFG's knowledge of sensitive and declining vegetation communities and the conservation planning efforts of the project area. This comment does not address the adequacy of the Draft EIR or the Biological Resources Impact Analysis; therefore, no further response is required.

D-2 This comment identifies CDFG's role pursuant to CEQA and their responsibility in administering the National Community Conservation Planning Program (NCCP). *Section 4.1.1* of the Draft EIR discusses the City's participation in the NCCP program through its approved Multiple Species Conservation Program (MSCP) Subarea Plan. This comment does not raise any substantive issues regarding the content or adequacy of the Draft EIR; therefore, no additional response is provided.

D-3 This comment provides a brief summary of the project description, location, and existing conditions related to the project as presented in the Draft EIR. It also summarizes the potential indirect impact to sensitive biological resources off site and to portions of the MHPA to the City's MSCP Subarea Plan, as discussed in *Sections 4.1* and *4.7* of the Draft EIR. Since no comments were raised regarding the adequacy of the environmental documentation, no further response is provided.

- D-4** This comment is in regard to CDFG having recommendations and comments to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and consistency with applicable requirements of the approved Subarea Plan. Responses to the specific concerns are provided in responses to comments D-5 through D-11.

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CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

Ms. Shearer-Nguyen
July 21, 2008
Page 2 of 2

1. The discussion pertaining to MSCP Land Use Adjacency Guidelines (page 4.1-19) should include the brush management guidelines (eight items currently listed per Section 1.4.3 of the MSCP Subarea Plan).
2. The Biological Resources and Impacts Analysis letter (and Section 4.7 of the DEIR) mentions the Black Mountain Road widening activities extending approximately 800 feet north of the Mercy Road Intersection, whereas Section 4.2 of the DEIR (page 4.2-45) states a distance of 960 feet north of Mercy Road, until the existing Black Mountain Road bridge. The final document should provide the correct distance for this particular section of road improvement. If the distance is 960 feet, revisions to the biological impact analysis should be provided and discussion/analysis as to whether additional impacts would occur to sensitive biological resources (including areas in proximity to Los Peñasquitos Creek).
3. In accordance with the City's Biology Guidelines, the starting breeding date for the least Bell's vireo (page ES-10) should be revised from March 17 to March 15.
4. Revisions to the breeding date for the least Bell's vireo are required in Section 4.1.7 Mitigation Monitoring and Reporting of the EIR. Currently March 1 – August 15 is referenced, whereas March 15 – September 15 should be provided per the City's Biology Guidelines.
5. Section 4.7 of the DEIR states that the California horned lark (*Eremophila alpestris ectia*) is currently listed as state Species of Special Concern (SSC). According to the current California Bird Species of Special Concern (April 10, 2008) this species is no longer identified as SSC (http://www.dfg.ca.gov/wildlife/species/ssc/docs/Table1_FIN.pdf). However, this species are still afforded protective measures per Sections 3503 and 3503.5 of the Fish and Game Code.
6. The raptor breeding season referenced under mitigation measure BIO-3 does not correspond to raptor breeding season referenced in mitigation measure BIO-4. The raptor breeding dates typically extend from January 15 through August 15. Please ensure that these dates are consistent throughout all sections of the final EIR (e.g., Executive Summary, Section 4.7.4 Mitigation Monitoring and Reporting, and Section 10.2 Land Use).
7. A portion of the off-site improvements to Black Mountain Road would encroach into the City's MHPA. Per the City's Biology Guidelines any development inside the MHPA which identifies the occurrence of Cooper's hawk (*Accipiter cooperii*) must include an impact avoidance area of 300 feet from any nesting sites.

We appreciate the opportunity to comment on the DEIR for this project and to assist the City of San Diego in further minimizing and mitigating project impacts to biological resources. If you have questions or comments regarding this letter, please contact Paul Schlitt of the Department at (858) 637-5510.

Sincerely,


Edmund J. Peri
Regional Manager
South Coast Region

cc: Paul Schlitt, Department of Fish and Game, San Diego
State Clearinghouse, Sacramento
David Zoutendyk, U.S. Fish and Wildlife Service, Carlsbad

- D-5** The commenter's recommendation to add the brush management guidelines of the MSCP Land Use Adjacency Guidelines have been added to Section 4.1 of the Final EIR. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.
- D-6** The Biological Resources and Impact Analysis letter and Section 4.7 of the Draft EIR were correct in stating a distance of 600 feet is proposed for the widening activities associated with Black Mountain Road from Mercy Road to the existing Bridge. Page 4.2-45 of the Draft EIR was incorrect in stating 960 feet north of Mercy Road; this page of the Final EIR has been revised to state a distance of 600 feet north of Mercy Road. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR. No revisions to the Biological Resources and Impact Analysis are required.
- D-7** The starting breeding season date for the least Bell's vireo has been revised in the Final EIR from March 17 to March 15. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.
- D-8** The breeding season date for the least Bell's vireo has been revised from March 1 – August 5 to March 15 – September 15 in accordance with the City's Biology Guidelines throughout Section 4.1.7 of the Final EIR. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.

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CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

- D-9** *Section 4.7* of the Final EIR has been revised to state that the California horned lark has been removed from the state Species of Special Concern list and that it still receives protective measures per Sections 3505 and 3505.5 of the Fish and Game Code. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.
- D-10** The Final EIR has been revised to reference January 15 through August 15 as the correct dates for the raptor breeding season. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Draft EIR.
- D-11** *Section 4.7.5* of the Draft EIR addresses potential indirect impacts to nesting raptors associated with the Black Mountain Road off-site traffic improvements, which include the Cooper's hawk. Mitigation measure BIO-4 requires a 500-foot buffer area around any occupied nest during the breeding season, which is more inclusive than the commenter's request. No revisions to the Final EIR are necessary.
- D-12** The City acknowledges CDFG's comments and will coordinate with the requested staff member as necessary.

160000

Comment Letter E
Marine Corps Air Station Miramar, Juan Lias
Dated July 29, 2008

Comment Letter E



COMMUNITY PLANS AND LIAISON
MARINE CORPS AIR STATION, MIRAMAR
BOX 452001
SAN DIEGO, CALIFORNIA 92145-2001

FAX TRANSMISSION COVER SHEET

Tel. (858) 577-6603 DSN: 267-6603 • Fax. (858) 577-6604 DSN: 267-6604

Date: 7/29/2008
From: Juan Lias, Community Planner
To: Elizabeth Shearer-Nguyen
Office: City of SD Development Services Department
Fax: 619 446 5245
Subject: PN 91647/ECN No. 2307111095, Casa Mira View

YOU SHOULD RECEIVE 8 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU
DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (858) 577-6603.

Remarks:

Re: Shearer-Nguyen.

These are comments regarding the Casa Mira View project in the Mira Mesa
community. If you have any questions, please let us know.

Juan Lias

E-1

This fax cover sheet conveys that the information contained within the
fax provides comments regarding the Casa Mira View Project and that
future coordination shall occur with Juan Lias at Marine Corps Air
Station (MCAS) Miramar. The City acknowledges MCAS Miramar's
comments and will coordinate with the requested community planner as
necessary.

E-1

000034

000034

CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
P.O. BOX 452000
SAN DIEGO, CA 92145-2001

11103
CP&L/91647
July 28, 2008

CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
ATTN ELIZABETH SHEARER-NGUYEN
ENVIRONMENTAL PLANNER
1222 FIRST AVENUE MS 501
SAN DIEGO CA 92101

RE: MIRA MESA COMMUNITY PLAN; CASA MIRA VIEW DRAFT ENVIRONMENTAL
IMPACT REPORT, JOB ORDER NUMBER 42-5739, PN 91647/SCH No.
2007111095, APN 318-410-20 to -25

Dear Ms. Shearer-Nguyen,

This is in response to the draft Environmental Impact Report (EIR)
of June 2008, which proposes residential development within the
Mira Mesa Community Planning area.

The proposed site is contained within the "MCAS Miramar AICUZ
Study Area" identified in the 2005 Air Installations Compatible
Use Zones (AICUZ) Update for Marine Corps Air Station (MCAS)
Miramar. To determine if the proposed project is compatible with
AICUZ guidelines, it has been determined that this project is: 1)
within the adopted 2004 MCAS Miramar Airport Influence Area (AIA),
2) outside the 60+ dB Community Noise Equivalent Level (CNEL)
noise contours, 3) outside any Accident Potential Zones (APZ), 4)
beneath the Outer Horizontal Surface of MCAS Miramar (Federal
Aviation Regulation Part 77), and 5) beneath and/or near establish
fixed and rotary-wing flight corridors for aircraft transiting to
and from MCAS Miramar.

After closer examination of the draft EIR, it has been determined
that the proposed project is consistent with AICUZ noise and
safety compatibility guidelines. The proposed heights do not
appear to penetrate the FAA Part 77 Outer Horizontal Surface
and/or any Terminal Instrument Procedures (TERPS) surfaces.
Please note that the FAA is the only agency that can officially
determine if a structure exceeds an airspace surface and/or what
impact it would have on air navigation.

E-2 This introduction explains that the letter is in reference to the Draft EIR
for a residential development within the Mira Mesa Community
Planning area. This comment does not address the adequacy of the Draft
EIR. No further response is required.

E-3 MCAS Miramar's assessment of the proposed project's compatibility
with the MCAS Miramar AICUZ guidelines is accurate as stated. This
comment does not address the content or adequacy of the Draft EIR, and
no further response is required.

E-4 MCAS Miramar's assessment that the proposed project is compatible
with the AICUZ noise and safety compatibility guidelines, and is
compatible with the FAA Part 77 Outer Horizontal Surface and/or any
Terminal Instrument Procedures (TERPS) surfaces, is acknowledged. It
is also acknowledged that the appropriate agency to officially determine
if a structure exceeds an airspace surface is the Federal Aviation
Administration (FAA). This comment does not address the content or
adequacy of the Draft EIR; no further response is required.

11103
CP&L/91647
July 28, 2008

Since the project is within the AIA for the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), and to ensure that the project is consistent with ALUCP guidelines, we recommend that the City of San Diego submit the project to the Airport Land Use Commission (ALUC) for an official consistency determination.

E-5

However, MCAS Miramar is still concerned that up to 1,348 new residential units will be placed directly below the I-15 approach and departure flight corridor and within two to three miles of the Ground Controlled Approach (GCA) Box Pattern and Julian approach and departure corridors. Aircraft altitudes within these flight corridors can be relatively low (ranging from 1,500 to 5,000 ft AMSL; lower if necessary) and in some cases under FAA control. As a result, new residents generally are unaware of the typical military activity that occurs in the local vicinity.

E-6

Despite the fact that the proposed project is located outside the 60+ CNEL, noise propagation and single-noise events (civilian and military) are most frequently cited reasons for noise complaints to MCAS Miramar. While we typically request that full disclosure of noise and visual impacts to all initial and subsequent purchasers, lessees, or other potential occupants be made, we also would request that the City of San Diego take one additional step as part of the project approval process.

E-7

In May 2004, the ALUC began the process of updating the ALUCP for MCAS Miramar. It is anticipated that the MCAS Miramar ALUCP will be revised and adopted by the end of 2008, but in addition to noise, safety and height guidelines, the new ALUCP proposes to add guidelines on aircraft overflight. The overflight guidelines are meant to alert commercial interests and existing and/or new residents of military flight activity within the most heavily used flight corridors associated with MCAS Miramar.

E-8

In the event that the MCAS Miramar ALUCP is not adopted prior to this proposed project receiving approval from the City of San Diego, we still encourage that an Overflight Notification document be prepared (see Enclosure 1), signed by the project proponent and recorded by the City of San Diego as part of the permit approval process. We feel that this document would: 1) alert all prospective buyers to potential noise impacts associated with MCAS Miramar activity during the disclosure process, and 2) require future residents to acknowledge that they are aware that military activity will be occurring over the site.

E-9

E-5

As stated on Page 4.1-62 of the Draft EIR, the project is located outside of the AIA for the currently adopted ALUCP for MCAS Miramar, and within the AIA of the proposed ALUCP Update. MCAS Miramar's request for the City to submit the project to the San Diego County Regional Airport Authority, acting as the Airport Land Use Commission (ALUC) for MCAS Miramar, is acknowledged. The City is not required to submit the Casa Mira View project to the ALUC for a consistency determination, however, since the project is not within the currently adopted AIA, and because the project was deemed complete well before the ALUCP Update is to be adopted by the ALUC (currently scheduled for consideration by the ALUC on September 4, 2008).

E-6

The applicant will disclose to all future residents of the proposed development that existing military flight activity occurs in the project area, at potentially relatively low altitudes. A recorded notice will be provided to future lessees and future owners of the units if the project site were to be converted for sale. This comment does not raise a substantive CEQA issue or reflect the content or adequacy of the Draft EIR; therefore, no further response is required.

E-7

See response to comment E-6.

E-8

Refer to responses to comments E-5 and E-6. Section 4.1 of the Draft EIR addresses the project's consistency with the Draft ALUCP Update for MCAS Miramar and determined the project to be consistent with that proposed plan.

E-9

Refer to responses to comments E-5, E-6, and E-7. As requested, the applicant will provide overflight notice to all future residents; this

CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

notification will be recorded by the City as part of the permit process.
This comment does not address the adequacy of the Draft EIR; therefore,
no further response is required.

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11103
CP&L/91647
July 28, 2008

Normal hours of operation at MCAS Miramar are as follows:

Monday through Thursday	7:00 a.m. to 12:00 midnight
Friday	7:00 a.m. to 6:00 p.m.
Saturday, Sunday, Holidays	8:00 a.m. to 6:00 p.m.

MCAS Miramar is a master air station, and as such, can operate 24 hours per day, 7 days per week. Fiscal and manpower constraints, as well as efforts to reduce the noise impacts of our operations on the surrounding community, impose the above hours of operation. Circumstances frequently arise which require an extension of these operating hours.

Thank you for the opportunity to review this land use proposal. If we may be of any further assistance, please contact Mr. Juan Lias at (858) 577-6603.

Sincerely,



C. L. THORNTON
Community Plans and Liaison Officer
By direction of the Commanding Officer

Enclosure:
(1) Sample Overflight Notification Document

Copy to:
Mira Mesa Community Planning Group, Chair, Ted Brengel
San Diego County Regional Airport Authority, Sandi Sawa

E-10

E-10 MCAS Miramar's hours of operation are noted. As previously discussed, the proposed project is located outside of the AICUZ 60dBA noise contours. This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.

E-11

E-11 The City acknowledges MCAS Miramar's comments and will coordinate with the requested community planner as necessary

000037

Enclosure ()

APPENDIX F

Sample Implementation Documents

The responsibility for implementation of the compatibility criteria set forth in the *Compatibility Plan* rests largely with the County of San Diego and affected cities. As described in Appendix E, modification of general plans and specific plans for consistency with applicable compatibility plans is the major step in this process. However, not all of the measures necessary for achievement of airport land use compatibility are necessarily included in general plans and specific plans. Other types of documents also serve to implement the *Compatibility Plan* policies. Samples of such implementation documents are included in this appendix.

Airport Combining Zone Ordinance

As noted in Chapter 2 of this document, one option that the affected local jurisdictions can utilize to implement airport land use compatibility criteria and associated policies is adoption of an airport combining zone ordinance. An airport combining zone ordinance is a way of collecting various airport-related development conditions into one local policy document. Adoption of a combining zone is not required, but is suggested as an option. Table F1 describes some of the potential components of an airport combining zone ordinance.

Buyer Awareness Measures

Buyer awareness is an umbrella category for several types of implementation documents all of which have the objective of ensuring that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property. The *Compatibility Plan* policies include each of these measures.

- **Overflight Notification**—An overflight notification informs property owners that the property is subject to aircraft overflight and generation of noise and other impacts. No restrictions on the heights of objects, requirements for marking or lighting of objects, or access to the property for these purposes are included. An overflight notification serves only as buyer acceptance of overflight conditions. Suggested wording of an overflight notification is included in Table F2. Unlike an aviation easement, overflight easement, or other type of easement, an overflight notification is not a conveyance of property rights. However, like an easement, an overflight notification is recorded on the property deed and therefore remains in effect with sale of the property to subsequent owners. Overflight notifications are generally appropriate in areas outside the 60 dB CNEL noise contour, outside Safety Zones, and within areas where the height of structures and other objects would not pose a significant potential of being airspace obstruction hazards.
- **Real Estate Disclosure**—A less definitive, but more all-encompassing, form of buyer awareness measure is for the ALUC and local jurisdictions to establish a policy indicating that information about and airport's influence area should be disclosed to prospective buyers of all airport-vicinity properties prior to transfer of title. The advantage of this type of program is that it applies to previously existing land uses as well as to new development. The requirement for disclosure of informa-

E-12 The enclosure to this letter is a sample overflight notification document. The City acknowledges the receipt of this example. This enclosure does not address the adequacy of the Draft EIR; therefore, no further response is required.

E-12

APPENDIX F SAMPLE IMPLEMENTATION DOCUMENTS

tion about the proximity of an airport has been present in state law for some time, but legislation adopted in 2002 and effective in January 2004 explicitly ties the requirement to the airport influence areas established by airport land use commissions (see Appendix A for excerpts from sections of the Business and Professions Code and Civil Code that define these requirements). With certain exceptions, these statutes require disclosure of a property's location within an airport influence area under any of the following three circumstances: (1) sale or lease of subdivided lands; (2) sale of common interest developments; and (3) sale of residential real property. In each case, the disclosure statement to be used is defined by state law as follows:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

E-12

SAMPLE IMPLEMENTATION DOCUMENTS APPENDIX F

An airport compatibility combining zoning ordinance might include some or all of the following components:

- ▶ **Airspace Protection**—A combining district can establish restrictions on the height of buildings, antennas, trees, and other objects as necessary to protect the airspace needed for operation of the airport. These restrictions should be based upon the current version of the Federal Aviation Regulations (FAR) Part 77, *Objects Affecting Navigable Airspace*, Subpart C. Additions or adjustments to take into account instrument approach (TERPS) surfaces should be made as necessary. Provisions prohibiting smoking, glare, bird attractions, and other hazards to flight should also be included.
- ▶ **FAA Notification Requirements**—Combining districts also can be used to ensure that project developers are informed about the need for compliance with the notification requirements of FAR Part 77. Subpart B of the regulations requires that the proponent of any project which exceeds a specified set of height criteria submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration prior to commencement of construction. The height criteria associated with this notification requirement are lower than those spelled out in Part 77, Subpart C, which define airspace obstructions. The purpose of the notification is to determine if the proposed construction would constitute a potential hazard or obstruction to flight. Notification is not required for proposed structures that would be shielded by existing structures or by natural terrain of equal or greater height, where it is obvious that the proposal would not adversely affect air safety.
- ▶ **State Regulation of Obstructions**—State law prohibits anyone from constructing or altering a structure or altering a structure or permitting an object of natural growth to exceed the heights established by FAR Part 77, Subpart C, unless the FAA has determined the object would or does not constitute a hazard to air navigation (Public Utilities Code, Section 21650). Additionally, a permit from the Department of Transportation is required for any structure taller than 500 feet above the ground unless the height is reviewed and approved by the Federal Communications Commission or the FAA (Section 21650).
- ▶ **Designation of High Noise-Impact Areas**—California state statutes require that multi-family residential structures in high-noise exposure areas be constructed so as to limit the interior noise to a Community Noise Equivalent Level of no more than 45 dB. A combining district could be used to indicate the locations where special construction techniques may be necessary in order to ensure compliance with this requirement. The combining district also could extend this criterion to single-family dwellings.
- ▶ **Maximum Densities/Intensities**—Airport noise and safety compatibility criteria are frequently expressed in terms of dwelling units per acre for residential uses and people per acre for other land uses. These standards can either be directly included in a combining zone or used to modify the underlying land use designations. For residential land uses, the correlation between the compatibility criteria and land use designations is direct. For other land uses, the method of calculating the intensity limitations needs to be defined. Alternatively, a matrix can be established indicating whether each specific type of land use is compatible with each compatibility zone. To be useful, the land use categories need to be more detailed than typically provided by general plan or zoning ordinance land use designations.
- ▶ **Open Areas for Emergency Landing of Aircraft**—In rare circumstances in which an accident involving a small aircraft occurs near an airport, the aircraft is under control as it descends. When forced to make an off-airport emergency landing, pilots will usually attempt to do so in the most open areas readily available. To enhance safety both for people on the ground and the occupants of the aircraft, airport compatibility plans often contain criteria requiring a certain amount of open land near airports. These criteria are most effectively carried out by planning at the general or specific plan level, but may also need to be included in a combining district so that they will be applied to development of large parcels. Adequate open areas can often be provided by clustering of development on adjacent land.
- ▶ **Areas of Special Compatibility Concern**—A significant drawback of standard general plan and zoning ordinance and use designations is that they can be changed. Uses that are currently compatible are not assured of staying that way in the future. Designation of areas of special compatibility concern would serve as a reminder that airport impacts should be carefully considered in any decision to change the existing land use designations. (A legal consideration which supports the value of this concept is that down-zoning of a property to a less intensive use is becoming more difficult. It is much better not to have inappropriately up-zoned the property in the first place.)
- ▶ **Real Estate Disclosure Policies**—The geographic extent and specific language of recommended real estate disclosure statements can be described in an airport combining zone ordinance.

Source: California Airport Land Use Planning Handbook (January 2002)

Table F1

Sample Airport Combining Zone Components

APPENDIX F SAMPLE IMPLEMENTATION DOCUMENTS

OVERFLIGHT NOTIFICATION

This *Overflight Notification* concerns the real property situated in the City of _____ County San Diego, State of California, described as _____ [APN No: _____]

This *Overflight Notification* provides notification of the condition of the above described property in recognition of, and in compliance with, CALIFORNIA BUSINESS & PROFESSIONS CODE Section 11010 and CALIFORNIA CIVIL CODE Sections 1102.6, 1103.4 and 1353, effective January 1, 2004, and related state and local regulations and consistent with the County of San Diego Airport Land Use Commission's policies for overflight notification provided in the Airport Land Use Compatibility Plan for MCAS Miramar Airport.

NOTICE OF AIRPORT IN VICINITY. *This property is located in the vicinity of an airport and within the airport influence area. The property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (for example: noise, vibration, overflights or odors). Individual sensitivities to these annoyances can vary from person to person. You should consider what airport annoyances, if any, affect the Property before you complete your purchase and whether they are acceptable to you.*

The Department of Defense (Department) and Federal Aviation Administration (FAA) share regulatory authority over the operation of military aircraft in flight and on the runway and taxiway surfaces at MCAS Miramar Airport. The Department and FAA are, therefore, exclusively responsible for airspace and air traffic management, including ensuring the safe and efficient use of navigable airspace, developing air traffic rules, assigning the use of airspace and controlling air traffic. Please contact the Department and FAA for more detailed information regarding overflight and airspace protection issues associated with the operation of military aircraft.

The Airport Operator, the Department, maintains information regarding hours of operation and other relevant information regarding airport operations. Please contact your local airport operator for more detailed information regarding airport specific operational issues including hours of operation.

This *Overflight Notification* shall run with the Property and shall be binding upon all parties having or acquiring any right, title or interest in the Property.

Effective Date: _____, 2008

See AIAACP Policies 2.1 and 3.6 regarding Effective Date/Overflight Policies

E-12

Table F2

Sample Overflight Notification

F-4

Draft MCAS Miramar Airport Land Use Compatibility Plan (April 2008)

Comment Letter F
SANDAG, Travis Cleveland
Dated August 1, 2008



401 B Street, Suite 800
 San Diego, CA 92101-4231
 (619) 699-1900
 Fax (619) 699-1905
 www.sandag.org

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 United States
 Department of Defense
 San Diego
 Transit Port District
 San Diego County
 Water Authority
 Southern California
 Tribal Chairmen's Association
 Alameda

August 1, 2008

File Number 7000300

Ms. Elizabeth Shearer-Nguyen
 Environmental Analysis Section
 Development Services Department
 City of San Diego, MS 501
 1222 First Avenue
 San Diego, CA 92101

Dear Mrs. Shearer-Nguyen:

SUBJECT: Casa Mira View Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Casa Mira View Project, which includes 1,848 multifamily dwelling units on approximately 41 acres in the Mira Mesa Community Planning Area in the City of San Diego.

Our comments are based on policies included in the Regional Comprehensive Plan (RCP), the Regional Transportation Plan (RTP), and the Congestion Management Program (CMP), and are submitted from a regional perspective emphasizing the need for land use and transportation coordination and implementation of smart growth principles.

Land Use

A key goal of the RCP is to focus growth in smart growth opportunity areas. The proposed project is located within an Existing/Planned Town Center (MM-1) identified on the Smart Growth Concept Map. The Town Center place type characteristics include a residential density of 20-45 units per acre and an employment density of 30/50 employees per acre within 0.25 miles of a transit station/connecting service. Local and express bus service already exists to support this place type additional Bus Rapid Transit (BRT) projects are currently in the planning stages.

With a proposed density of approximately 45 dwelling units per acre, this project would contribute toward the project area meeting the residential density target for a Town Center. Although there is no commercial component to this development, surrounding existing and planned commercial development demonstrates a commitment to smart growth, transit-supportive development.

Since this project is located within an area on the Smart Growth Concept Map, the project area may be eligible to compete for Smart Growth Incentive Funds for Infrastructure through the City of San Diego.

Comment Letter F

F-1

The City acknowledges the comments from SANDAG. This comment outlines the author's understanding of the project and does not relate to the adequacy of the Draft EIR. No further response is necessary.

F-2

Comment noted. This comment identifies that the comments provided in the letter are based on policies provided in the Regional Comprehensive Plan (RCP), the Regional Transportation Plan (RTP), and the Congestion Management Program (CMP) emphasizing the need for land use and transportation coordination and implementation of smart growth principles. This comment does not address the adequacy of the Draft EIR; therefore, no further response is necessary.

F-3

The comment identifies how a key goal of the RCP is to focus growth in smart growth opportunity areas, how the project is located within an existing/planned town center identified on the Smart Growth Concept Map, the requirements for a Town Center under the Smart Growth Concept, and how the project would contribute toward the project area meeting the residential density target for a Town Center. This comment also clarifies that although there is no commercial component to the proposed project, surrounding existing and planned commercial development demonstrates a commitment to smart-growth, transit-supportive development. The City concurs with SANDAG's characterization of the proposed project with respect to smart growth goals. This comment does not address the adequacy of the Draft EIR.

F-4

The City acknowledges that the project is located on the Smart Growth

000044

CASA MIRA VIEW EIR
LETTERS OF COMMENT AND RESPONSES

Concept Map, and may be eligible to compete for Smart Growth Incentive Funds for infrastructure through the City. This comment does not address the adequacy of the Draft EIR.

000044

Multi-modal Transportation Analysis

The 2030 RTP provides a multi-modal approach to meet the region's transportation needs. As such, it is requested that the traffic analysis for this project also consider balancing the needs of motorists, transit riders, pedestrians, and bicyclists, and include the following impact analysis.

F-5

SANDAG's NOP comment letter, which was dated December 14, 2007, and was not included in this DEIR, requested the following:

F-6

Effects on Transit

As the transportation planning agency for the San Diego region, Section 21092.4 of CEQA requires coordination with SANDAG and transit operators on the transit effects of regionally significant projects. Section 15206 of the CEQA Guidelines defines a regionally significant project to include housing projects of 500 or more units; therefore, state law requires this consultation on this Project.

F-7

Please consult with SANDAG and the Metropolitan Transit System (MTS) to further explore the Project's transit impacts and the possibility of bus service to this location.

Effects on transit are considered environmental effects under CEQA and should be addressed in the Project's traffic study. Please prepare a transit impact analysis to include the following:

F-8

1. Transit mode share as a share of total Project trips
2. Proposed transit trip generation rates of individual land uses
3. Proposed bus stop locations within/adjacent to the Project

F-9

Based on the outcome of this analysis, SANDAG may request fair-share mitigation for effects on the transit system.

This information is desired to better assess the project's impacts to nearby transit routes. Please include this assessment in the EIR as previously requested. Please also include in this transit section an assessment of bus route delays caused by increases in traffic that are caused by the project.

F-10

Requested Changes to the DEIR

1. In Section 4.2, there is no mention of the Congestion Management Program (CMP). The Traffic Impact Analysis in Appendix B does describe the CMP in section 3.0. There should be consistency with the summary analysis of Section 4.2 and Appendix B. Please describe the CMP and related requirements within the EIR itself.

F-11

2. Appendix B has misstatements when referencing the CMP. 'Development Specific Plan' should be changed to *project development*.

F-12

3. The statement 'the CMP analysis must include the traffic LOS impacts on affected freeways and Regionally Significant Arterial (RSA) systems, which includes all designated CMP

F-13

F-5 As discussed in Section 3.2.9 of the Draft EIR, the project would incorporate several transportation demand management measures such as shuttle services, provision of RideLink information bulletins in central locations to encourage alternative transportation programs and/or public transit available to the area, provision of a TDM association and/or coordinator to ensure that the latest bus schedules have been posted and to provide information on carpooling and ridesharing, coordination with Metropolitan Transit System to provide a bus stop adjacent to the project site, sending an annual Rideshare/transit newsletter to residents, and provision of bicycle storage facilities to the residents. The traffic analysis considered this multi-modal approach, including the immediate proximity of the site to existing commercial and educational land uses.

F-6 This comment identifies the submittal of an NOP comment letter that was not included in the Draft EIR. While this letter may have been submitted to the City of San Diego, it was never received by City staff in the Entitlements Division. Specific responses to these comments are provided in responses F-7 through F-10.

F-7 In accordance with Section 21092.4 of CEQA, the City consulted with SANDAG regarding this project of regional significance. In response, SANDAG submitted a letter dated October 5, 2007, providing the most recent CMP guidelines for the City's use. The required consultation was therefore satisfied.

There are no existing or planned transit or bus services to the Casa Mira View project site. Bus routes exist and are planned within the project area, along Mira Mesa Boulevard and Black Mountain Road. As recommended by SANDAG, and provided in Section 3.2.9 of the Draft EIR and

Appendix B of the Traffic Impact Analysis, a TDM plan was created for the Casa Mira View project.

This TDM plan includes a private shuttle connecting the Casa Mira View project to shopping opportunities in the community. The private shuttle and other TDM measures are designed to reduce traffic impacts to the community and eliminate any potential impacts to public transportation. Since there are no bus routes directly serving the project site, it is not anticipated that any additional riders would be introduced directly to the public transit system from the Casa Mira View project. In fact, there is little reason to believe that there would be a measurable, much less significant, impact on transit because the shuttle will be free while public transit is not, and because the shuttle will stop at the site. Any impact on transit would require speculation. It should be noted that the Casa Mira View project is consistent with the Community Plan for Mira Mesa and has been since the mid 1980s. In addition, as identified in comment F-3, the project is consistent with SANDAG's RCP and Smart Growth Concept Map, by providing a development that meets SANDAG's density requirements for a Town Center. The project is consistent with all plans and studies SANDAG has conducted to examine future transit options and the RTP.

- F-8** Refer to response to comment F-7. There are no transit stops located adjacent to the project site. Appendix D of the SANDAG CMP outlines methodologies to be utilized for a traffic impact study. These guidelines state that the City of San Diego's Trip Generation Manual is an accepted guide for determining the potential traffic generated for a development site. These guidelines also state that trip generation reductions for transit and

TDM measures can be considered.

Among the TDM measures provided in *Section 3.2.9* of the Draft EIR, the following measures associated with transit use have been incorporated into the project: coordinate with MTS to provide a bus stop adjacent to the project site, and provide private shuttle services as recommended by SANDAG. Please refer to *Figure 3.2-5a* of the Draft EIR for the location of the proposed private shuttle stops. However, in order to provide a conservative analysis, and considering there are no current transit services adjacent to the project site, no trip reductions were taken for transit use. It was assumed that all trips were automobile trips resulting in no mode share or transit trips.

F-9 Refer to responses to comments F-7 and F-8. There are no current transit services located adjacent to the project site, and transit trips from the project are expected to be accommodated by the private shuttle for local trips. In fact, there is little reason to believe that there would be a measurable, much less significant, impact on transit because the shuttle will be free while public transit is not, and because the shuttle will stop at the site. Any impact on transit would require speculation. MTS controls the fees that riders pay for utilizing the bus transit system. It should be noted that since the project is consistent with the Community Plan, agencies including SANDAG and MTS have been aware of the project (since the mid-1980s) and have planned for it accordingly in regional transportation and transit plans.

F-10 Refer to responses to comments F-7, F-8, and F-9. Potential traffic increases generated by the project, which may cause bus route delays, were specifically addressed in Appendix B of the Traffic Impact Analysis,

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CASA MIRA VIEW EIR
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which utilized City of San Diego and SANDAG methodologies and direction. In addition, the Traffic Impact Analysis is consistent with and utilizes methodologies contained in the SANDAG CMP. *Section 4.2* of the Draft EIR provided a summary of the Traffic Impact Analysis, which incorporated the methodologies of the approved and required guidelines for traffic analysis. As a result, no further analysis is required.

- F-11** While the Draft EIR does not specifically identify SANDAG's CMP and its requirements, the CMP analysis is contained in the Traffic Impact Analysis and the Draft EIR provided a summary of the results from the Traffic Impact Analysis. The CMP requirements provide for an allowable increase in volume to capacity ratio of 0.02 at segments which are projected to operate at LOS E or F. The 0.02 increase in ratio is the difference between a significant project impact and one which is less than significant. It is noted that this 0.02 volume to capacity ratio has also been implemented into the City of San Diego's thresholds for intersections and roadway segments, as identified in *Table 4.2-6* of the EIR. Therefore, the CMP threshold was used in the traffic analysis of the proposed project. However, per the commenter's request, the CMP requirements and a discussion of this threshold have been added to *Sections 2.4.5* and *4.2* of the Draft EIR, respectively. Revisions made to the Draft EIR do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Traffic Impact Analysis or the Draft EIR.

- F-12** The text of the Traffic Impact Analysis has been revised to incorporate the requested change in reference from "Development Specific Plan" to

"project development." Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Traffic Impact Analysis or the Draft EIR.

- F-13** The text of the Traffic Impact Analysis has been revised according to the commenter's requested clarifications. Revisions made do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Traffic Impact Analysis or the Draft EIR.

roadways' is confusing. The 2030 RTP designates the Regional Arterial System (RAS). Highways should also be included in this statement. The last paragraph should include LOS D in the projected LOS segments and the word "roadway" should precede the word "segments".

F-13

4. In Section 4.2, Comparative Near Term and 2030 With and Without Project Street Segment LOS, data tables do not include V/C, change in V/C, change in ADT, and significance data. Comparative Near Term and 2030 with and without Project Intersection LOS data tables do not include change in delay, change in volume and significance data. This information should be included in this section.

F-14

5. Section 4.2 includes existing transit in its analysis. The proposed project should also consider the future Bus Rapid Transit (BRT) Route 470 which is in the Revenue Constrained (RC) Scenario of the 2030 RTP. This route will be utilizing Mira Mesa Boulevard as its connecting roadway from Escondido to Sorrento Mesa. Transit enhancements within this corridor including BRT stations, etc. will potentially be within 1/4 - 1/2 mile proximity to the proposed project development.

F-15

6. Page 4.2-5 - Table 4.2-1 'Existing Street Segment Levels of Service' has conflicting data. Mira Mesa Boulevard between I-15 SB Ramps and Westview Parkway has an LOS F but its V/C ratio is 0.97.

F-16

7. Page 4.2-15 -It should be stated that Mira Mesa Boulevard and Black Mountain Road are part of the Regional Arterial System (RAS) in the 2030 RTP. Also, in table 4.2-6, the first column, level of service with project should include LOS D.

F-17

8. Address potential impacts to existing and planned transit by identifying the transit mode share (bus, light rail, and/or commuter rail) as a share of total project trips, existing or planned transit stop locations within/adjacent to the proposed project, and any traffic delay on bus service resulting from the proposed project.

F-18

This analysis is desired as a reference to help quantify potential impacts on the transit system. In the case of significant or unusual impacts on the transit system, SANDAG may wish to explore fair-share mitigation.

F-19

9. In considering mitigation for regional transportation impacts, please consider alternatives to driving alone during peak periods, such as carpooling, vanpooling, telecommuting, and flexible work hours, and the potential of a Transportation Demand Management (TDM) plan as a part of this project.

F-20

10. Improved bicycle access to local destinations can help to mitigate the traffic effects of projects and provide mobility options for residents. Please explore the feasibility of improving bicycle access in the area.

F-21

It is advised that the project applicant also consult with MTS the transit service provider within the project area, and Caltrans to coordinate planned highway improvements.

F-22

F-14

While not required to determine significance under CEQA, *Tables 4.2-10, 4.2-11, 4.2-12, and 4.2-13* of the Draft EIR have been revised to incorporate the requested information. The revisions were provided to clarify the conclusions of the traffic analysis in the Draft EIR. The change in volume was not provided in the comparative Near Term and 2030 with and without project intersection LOS tables as this information is not relevant to the significance of intersections. All the information requested to be added to the Draft EIR was provided in the Traffic Impact Analysis and provided as an appendix to the Draft EIR. Revisions made to the Draft EIR do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Traffic Impact Analysis or the Draft EIR.

F-15

Anticipated impacts to Mira Mesa Boulevard and therefore Route 470 as it is currently constructed are discussed in the traffic study, Appendix B to the Draft EIR. The traffic study examined Mira Mesa Boulevard as currently constructed. Also, the project is consistent with the Mira Mesa Community Plan as indicated in *Section 4.1* of the Draft EIR, and was an integral part of the SANDAG 2030 RTP effort, including the Revenue Constrained proposal.

- F-16** *Table 4.2-1, Existing Street Segment Levels of Service, has been corrected in the Final EIR to be consistent with the Traffic Impact Analysis, which states that the existing LOS for Mira Mesa Boulevard from I-15 southbound ramps to Westview Parkway is LOS E, not F. Revisions made to the Draft EIR do not raise important new issues related to significant effects on the environment, and do not affect the significance conclusions contained in the Traffic Impact Analysis or the Draft EIR.*
- F-17** *Table 4.2-6 of the Draft EIR identifies the level of service and the allowable delays and volume to capacity levels that would constitute a significant impact. An LOS D is considered an acceptable level of service and would not result in a significant traffic impact. Therefore, LOS was not included in the table.*
- F-18** *Refer to responses to comments F-7 through F-10.*
- F-19** *Refer to responses to comments F-7 through F-10. With a private shuttle serving the project site for all local trips, it is anticipated that there will be no significant impact to local bus service in the community. Further, since the project is consistent with the Community Plan and transit agencies have long been aware of the project, no unusual impacts on the transit system would be expected.*
- F-20** *Section 3.2.9 of the Draft EIR identifies the TDM incorporated into the project. The Traffic Impact Analysis also discusses how these TDM measures were incorporated into the project to reduce traffic impacts by limiting traffic during the AM and PM peak hours of the day by shifting commuters to transportation modes rather than cars, and to encourage*

commuting during the non-peak hours of the day.

- F-21** Bicycle access currently exists along the adjacent roadways within the project area. In addition, as discussed in *Sections 3.2.2 and 3.2.3* of the Draft EIR, the project would provide a bicycle lane around the perimeter of the site and 872 bicycle storage spaces for the future residents of the proposed development to encourage bicycle usage.
- F-22** Coordination with Caltrans has been conducted numerous times regarding the Casa Mira View Project. Since there is no transit currently serving the project site, MTS has not been consulted to date. However, as discussed in *Section 3.2.9* of the Draft EIR, the project would incorporate TDM measures, which include coordination with MTS to provide a bus stop adjacent to the project site. Future coordination with Caltrans, SANDAG, and MTS will be conducted as necessary.

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Additionally, when analyzing future (2030) traffic conditions, SANDAG recommends using the transportation network included in the RTP Reasonably Expected funding scenario.

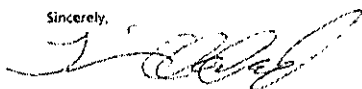
F-23

Conclusion

We appreciate the opportunity to comment on this project. If you have any questions or concerns regarding my comments on this project, please contact me at (619) 699-7336 or tcl@sandag.org.

F-24

Sincerely,



TRAVIS CLEVELAND
Regional Planner

TCL/ait

F-23 As indicated in response to comment F-7, SANDAG was consulted on the project and performed the modeling for the Casa Mira View project. No further traffic modeling is necessary.

F-24 The City acknowledges SANDAG's review and comments on the Draft EIR and will coordinate with the requested regional planner as necessary.

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Comment Letter G
Bob Dingeman
Dated July 9, 2008

Comment Letter G

San Diego Development Services
Entitlements Division
1222 First Avenue
San Diego Ca 92101

Project No. 916347 SCH No. 2007111095, Casa Mira View

The draft environmental impact Review for the stated project has been reviewed and the following comments are submitted in regards to same.

1. It is clear that the many identified and unmitigated environmental impacts renders this project unsuitable for adoption for the San Diego community.
2. Of particular note is the severe potential impact on traffic and movement on an already overburdened and crowded venue. This can only lead to frustration, irritation and loss of Quality of Life for the present and future occupants and potential gridlock at times.
3. Backfilling with major construction projects without a companion serious attention paid to the infrastructure needed and such things as water and sewer facilities available and used only will lead to disaster in the future with break downs from overloading a foregone conclusion.
4. Too often in the absence of good planning to meet recognized contingencies the Planning Commission is asked to approve projects like this with serious unmitigated shortcomings which merely accumulate and render more difficult correct solutions on a properly modestly scaled back and pragmatic version.
5. This project should not be considered for approval without substantial correct remedial traffic control and infrastructure measures adopted and included.

Respectfully submitted

Bob Dingeman, Scripps Ranch



10394 Avenida, HL
SD CA, 92131-1315

- G-1 This comment introduces the reviewer's comments. Specific comments and responses are provided in responses G-2 through G-6.
- G-2 The commenter's opposition to the project is acknowledged and will be included in the record of the project for review and consideration by the appropriate decision makers. The commenter is incorrect in stating that the project's identified unmitigable impacts render the project unsuitable for adoption by the San Diego Community. The California Environmental Quality Act (CEQA) California Public Resources Code (Section 21000 et. seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations Section 15000 et. seq.) require that no public agency shall approve or carry out a project which identifies one or more significant environmental effects of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are: (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment; (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency; or (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR (CEQA, Section 21081(a); Guidelines, Section 15091(a)). CEQA and the CEQA Guidelines further

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require that, where the decision of the public agency allows the occurrence of significant effects which are identified in the EIR but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the EIR and/or other information in the record (Guidelines, Section 15093(b)). Proposed formal Findings and a Statement of Overriding Considerations have been submitted by the project applicant. It is the responsibility of the City of San Diego's Planning Commission and ultimately the City of San Diego's City Council to review the information and determine the considerations of the project and to determine if the benefits of adoption of the project outweigh the unmitigable impacts.

G-3 As discussed in *Section 4.2.5* of the Draft EIR, mitigation measures have been incorporated into the project to ensure that project-related and cumulative impacts are reduced prior to the impact actually occurring. In other words, the construction of the proposed traffic mitigation measures *would occur prior to occupancy of the proposed development to ensure* that the assessed impact would not result.

G-4 The Draft EIR fully analyzes required infrastructure needs of the project, including water, wastewater, and solid waste, in *Section 4.4* of the Draft EIR. Also, as discussed in the *Executive Summary, Chapter 1*, and *Section 3.4* of the Draft EIR, a development agreement was reached between the City of San Diego and Pardee Construction Company in 1988 for the development of 1,848 units on the project site per City Ordinance Number 0-17178. This development agreement was assigned to the current project applicant in December 2007. In addition, the Mira Mesa Community Plan has designated the project site as medium-high density residential (30-45 units/acre). Therefore, the City has planned for

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the development of 1,848 multifamily residential uses at the proposed project site for 20 years. Once the project was incorporated into the Community Plan, water and sewer infrastructure have been anticipated by the City for the proposed use.

G-5 Refer to response to comment G-2. Reduced density alternatives are analyzed in the Draft EIR in *Sections 9.2.2 and 9.2.3*. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

G-6 Refer to response to comment G-3. As discussed in *Section 4.2* of the Draft EIR, several existing street segments, intersections, and freeway segments in the project area currently operate at level of service (LOS) E or F which is below the City's LOS thresholds. The proposed project would mitigate project-related impacts to less-than-significant levels and reduce the impact of some existing traffic impacts in the project area through implementation and approval of the mitigation monitoring and reporting program.

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CASA MIRA VIEW PROJECT
DRAFT
ENVIRONMENTAL IMPACT REPORT

City Project No. 91647

SCH. No. 2007111095

Lead Agency:

The City of San Diego
Development Services Department
Entitlements Division
1222 First Avenue
San Diego, CA 92101

June 2008

G-7 This title page was provided with the comment letter to reference the document that was reviewed and being commented on.

G-7

CASA MIRA VIEW PROJECT

~~DRAFT~~FINAL

ENVIRONMENTAL IMPACT REPORT

City Project No. 91647

SCH. No. 2007111095

Lead Agency:

**The City of San Diego
Development Services Department
Entitlements Division
1222 First Avenue
San Diego, CA 92101**

June August 2008

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ACRONYMS AND ABBREVIATIONS

AB	assembly bill
ADRP	Archaeological Data Recovery Program
ADT	Average Daily Traffic
AFY	acre feet per year
AIA	airport influence area
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AME	Archaeological Monitoring Exhibit
AMSL	above mean sea level
APCD	Air Pollution Control District
APN	assessor parcel number
APZ	accident potential zones
ATAG	ALUCP Technical Advisory Group
BI	building inspector
BMPs	best management practices
C&D	construction and demolition
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CE	Conservation Element
CEQA	California Environmental Quality Act
CLUP	Comprehensive Land Use Plan
CM	Construction Manager
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CPA	Community Plan Amendment
CSVr	Consultant Site Visit Record
CUP	Conditional Use Permit
CWA	Clean Water Act
cy	cubic yards
DAR	direct access ramp
dB	decibel

ACRONYMS AND ABBREVIATIONS

dB(A)	decibel (A-weighted scale)
DOC	Department of Conservation
DSD	City of San Diego Development Services Department
EAS	Environmental Analysis Section
EIR	Environmental Impact Report
ERM	environmental review manager
ESA	Environmental Site Assessment
ESD	San Diego Environmental Services Department
ESL	Environmentally Sensitive Lands
FBA	facilities benefit assessment
FEMA	Federal Emergency Management Agency
FIRM	flood insurance rate map
ft	feet
GHG	greenhouse gas
HA	Hydrologic Area
HRG	Historical Resource Guidelines
HSA	Hydrologic Subarea
HU	Hydrologic Unit
I-15	Interstate 15
I-5	Interstate 5
I-805	Interstate 805
in	inches
kWh	kilowatt hours
LDC	Land Development Code
Ldn	Day-Night Average Sound Level
LDR	Land Development Review
L _{eq}	Equivalent Sound Level
LOS	level of service
LU	Land Use element
MBTA	Migratory Bird Treaty Act
MCAS	Marine Corps Air Station

ACRONYMS AND ABBREVIATIONS

ME	Mobility Element
MHPA	Multi-Habitat Planning Area
MGD	million gallons per day
MLD	Most Likely Descendent
MMC	Mitigation Monitoring Coordination
MMCP	Mira Mesa Community Plan
MRZ	mineral resource zone
MSCP	Multiple Species Conservation Program
Mph	miles per hour
MS4	municipal separate storm sewer system
MSL	mean sea level
MTS	San Diego Metropolitan Transit Service
MWD	Metropolitan Water District of Southern California
MWWD	San Diego Metropolitan Wastewater Department
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Program
NE	Noise Element
NOI	Notice of Intent
NOP	Notice of Preparation
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NTP	Notice to Proceed
O ₃	high ozone
OMCP	Otay Mesa Community Plan
OPR	California State Office of Planning and Research
PDP	planned development permit
PHV	peak hour volume
PF	Public Facilities, Services and Safety element
PI	Principal Investigator
PM ₁₀	respirable particulate matter
PME	Paleontological Monitoring Exhibit
ppm	parts per minute
RAQS	Regional Air Quality Strategy
RE	Resident Engineer

ACRONYMS AND ABBREVIATIONS

RM	residential multiple unit
RPO	Resource Protection Ordinance
RWQCB	San Diego Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	southbound
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCRAA	San Diego County Regional Airport Authority
SDCWA	San Diego County Water Authority
SDG&E	San Diego Gas and Electric
SDMC	City of San Diego Municipal Code
SDP	Site Development Permit
SDUSD	San Diego Unified School District
SDRAQS	San Diego Regional Air Quality Strategy
sq ft	square feet
sf	square feet
SFHA	Special Flood Hazard Area
SIP	State Implementation Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TC	Town Center land use designation
TDM	transportation demand management
TMDL	total maximum daily load
UBC	Uniform Building Code
UD	Urban Design element
USA	Urban System Associates
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish & Wildlife Service
v/c	volume to capacity ratio
VOC	volatile organic compounds
VTM	vesting tentative map

ACRONYMS AND ABBREVIATIONS

WDR	waste discharge requirements
WSA	water supply assessment

EXECUTIVE SUMMARY

ES-1 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared by the City of San Diego (City) as lead agency pursuant to the California Environmental Quality Act (CEQA) Public Resources Code 21000 et seq., and the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.). This EIR has been prepared to evaluate the environmental effects of the proposed Casa Mira View Project (the "project").

The project would require the approval of several discretionary actions. A vesting tentative map (VTM) would be required to create 1,848 condominium units and project phasing lots. A site development permit (SDP) would be required as this multifamily residential development exceeds 19 dwelling units and because the project's off-site traffic improvements are located within 100 feet of sensitive biological resources which are within and adjacent to the Multi-Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is controlled by the previously approved 1988 development agreement for the Westview and Casa Mira View developments (City of San Diego Ordinance Number 0-17178). This development agreement was assigned to the project applicant in December, 2007. A planned development permit (PDP) would be required to address the deviations being proposed by the project, one of which is the proposed height of the residential structures. While the density of the project is consistent with the land use designation of the Mira Mesa Community Plan, a rezone is needed to better match the building features with the proposed zone. Several unused utility easements would need to be vacated prior to construction of the residential units.

The Casa Mira View project site is located in the Mira Mesa Community in the north-central portion of the City of San Diego (see *Figure 2.1-1, Regional Map*). The Mira Mesa Community Planning area is approximately 10,500 acres in size and is bounded on the north by Los Penasquitos Canyon Preserve, on the east by Interstate 15 (I-15), on the south by Miramar Road, and on the west by Interstate 5 (I-5). Specifically, the project site is located south of Capricorn Way and an existing residential development, immediately west of I-15, north of Mira Mesa Boulevard, and immediately east of Westview Parkway (see *Figure 2.1-2, Vicinity Map*).

ES-2 PROJECT DESCRIPTION AND BACKGROUND

The proposed residential project would develop three residential buildings on approximately 41 acres. The residential structures would contain a total of 1,848 multifamily dwelling units. Each residential building area would contain a parking structure, supporting recreational uses and amenities, guest parking areas, and shuttle pick-up areas. The project's design would result in

each of the residential buildings wrapping around an above grade parking structure. In addition to the residential and parking structures, the project proposes to develop a clubhouse building within residential Building areas 1 and 2.

The project would include a main point of access to Buildings 1 and 2 via Westview Parkway. This access point would be identified by signage and landscaping and located across from Westview Park. A second access point would extend from Galvin Avenue to Building 3. In addition, an emergency only access point would be located to the north of the main access point. All three access points would be provided along Westview Parkway.

The project applicant has agreed to provide a total of 185 affordable housing units, consisting of a mixture of one-, two-, and three-bedroom units, and would be located throughout the development. The units would be restricted by an agreement for affordable housing acceptable to the City's Housing Commission. The units would be completed and ready for occupancy no later than the date the market rate housing is constructed, unless there is an acceptable agreement for alternative development schedule satisfactory to the Housing Commission.

Mini-parks would be constructed throughout each residential area, located mainly in between the residential units. The mini-parks would typically be landscaped with lawn and Queen Palm. Some of the mini-parks would also include Coral Trees. Additional detailed project description information, including the proposed landscape plan, street improvements, and utilities, is provided in *Chapter 3.0* of this EIR.

ES-3 IMPACTS DETERMINED TO BE SIGNIFICANT

Table ES-1 provides a summary of significant impacts of the proposed project pursuant to the CEQA Guidelines Section 15123(b)(1). Impacts associated with traffic, air quality cumulative solid waste, and construction noise were identified as being significant and unmitigable.

ES-4 EFFECTS NOT FOUND TO BE SIGNIFICANT

Several environmental topics were not found to be significant in this EIR, including: Land Use, Aesthetics/Neighborhood Character/Visual Quality, Water Quality, Energy Conservation, Geological Conditions, Agricultural Resources/Natural Resources/Mineral Resources, Historical Resources, Water Conservation, and Human Health/Public Safety/Hazardous Materials.

TABLE ES-1
Summary of Significant Environmental Impacts

Impact	Mitigation Measures	Level of Significance After Mitigation
Land Use		
The construction of the off-site traffic improvements along Black Mountain Road could result in a potential significant conflict with the MSCP Subarea Plan related to biological resources.	<p>LU-1 Prior to the issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall submit evidence to the ADD of the Entitlements Division verifying that a qualified biologist has been retained to implement the biological resources mitigation program as detailed below:</p> <ul style="list-style-type: none"> A. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD of the Entitlements Division stating that a qualified Biologist, as defined in the City of San Diego Biological Resource Guidelines (BRG), has been retained to implement the revegetation plan. B. At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC section, which includes the name and contact information of the Biologist and the names of all persons involved in the Biological Monitoring of the project. C. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated. D. The qualified biologist (project biologist) shall attend the first preconstruction meeting. <p>LU-2 In addition the following mitigation measures related to the MHPA Land Use Adjacency Guidelines shall be implemented:</p> <ul style="list-style-type: none"> A. Prior to initiation of any construction-related grading, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor. B. The limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The project biologist shall supervise the placement of orange construction fencing or 	With implementation of mitigation measures, impacts to land use would be reduced to below a level of significance.

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A. The limits of grading shall be defined with silt fencing or orange construction fencing and checked by the biological monitor before initiation of construction grading.</p> <p>C. No invasive non-native plant species shall be introduced into areas adjacent to the MHPA. Landscape plans shall not contain invasive, non-native species.</p> <p>D. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.</p> <p>E. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A.</p> <p>F. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.</p> <p>G. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>construction related debris shall be removed off-site to an approved disposal facility.</p> <p>LU-3 Should construction occur during the breeding season of the coastal California gnatcatcher (March 1 through August 15), and least Bell's vireo (March 15 and August-September 15), the following mitigation measures shall be required and implemented:</p> <p><u>A. COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)</u></p> <p>Prior to the issuance of any grading permit the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:</p> <p>No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:</p> <ol style="list-style-type: none"> 1. A Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If coastal California gnatcatchers are present, then the following conditions must be met: <ol style="list-style-type: none"> a. Between March 1 and August 15, no clearing, grubbing, or grading of occupied coastal California gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>b. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied coastal California gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or</p> <p>c. At least two weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.</p> <p>2. If coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:</p> <p>a. If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.</p> <p>b. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.</p> <p><u>B. LEAST BELL'S VIREO (State Endangered/Federally Endangered)</u></p> <p>Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>No clearing, grubbing, grading, or other construction activities shall occur between March 15 and August September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the City Manager:</p> <ol style="list-style-type: none"> 1. A Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the least Bell's vireo. Surveys for the least Bell's vireo shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If the least Bell's vireo are present, then the following conditions must be met: <ol style="list-style-type: none"> a. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and b. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied least Bell's vireo habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or</p> <p>c. At least two weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 15).</p> <p>* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>2. If least Bell's vireo are not detected during the protocol survey, the Qualified Biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 4-15 and September 15 as follows:</p> <p>a. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.</p> <p>b. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.</p>	
Traffic and Circulation		
<p>Near Term with Project</p> <p><u>Street Segments</u></p> <p>A significant impact would occur at the following three segments: Mira Mesa Boulevard (Westview to I-15)</p> <p>Mira Mesa Boulevard (Westview Parkway to Black Mountain Road) Black Mountain Road (Mercy Road to Park Village Drive)</p> <p><u>Intersections</u></p> <p>A significant impact would occur at the following three intersections: Hillery Drive/Black Mountain Road Gold Coast Drive/Black Mountain Road Mira Mesa Boulevard/Black Mountain Road</p>	<p>TRAF-1 Prior to the issuance of a building permit for the first residential dwelling unit, the applicant shall assure, to the satisfaction of the City Engineer, construction of a northbound right-turn lane at the intersection of Mira Mesa Boulevard and Black Mountain Road. This mitigation would reduce impacts, to the intersection Mira Mesa Boulevard and Black Mountain Road, to below a level of significance and would partially mitigate the project's significant impacts to the Mira Mesa Boulevard street segment from Westview Parkway to Black Mountain Road.</p> <p>TRAF-2 Prior to the issuance of a building permit for the second building (811th residential dwelling unit), the applicant shall assure, to the satisfaction of the City Engineer, construction of a third northbound and a third southbound thru lanes and transitions on Black Mountain Road from Mercy Road transitioning to four lanes prior to the Penasquitos Canyon Creek Bridge. This mitigation would fully mitigate the project's impacts to the intersection of Mercy Road and Black Mountain Road and partially mitigate the project's significant impacts to the Black Mountain Road (Mercy Road to Park Village Drive) street segment.</p>	<p>Traffic and Circulation impacts would be fully mitigated to below a level of significance with implementation of the mitigation measures listed with the exception of TRAF-1 and TRAF-2. The project recommends mitigation to reduce the significance of impacts to below a level of significance, except for:</p> <ul style="list-style-type: none"> Cumulatively significant impacts along the Mira Mesa Boulevard street segment, between Westview Parkway and Black Mountain Road Cumulatively significant impacts along the Black Mountain Road street segment from Mercy Road to Park Village Drive. <p>Full mitigation is infeasible at these two locations and these impacts would remain unmitigated.</p>

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
<p>Year 2030 with Project</p> <p><u>Street Segments</u></p> <p>The following street segments are projected to operate at unacceptable LOS and cumulatively significant impacts:</p> <p>Mira Mesa Boulevard (I-15 SB on-ramps to Westview Parkway) Mira Mesa Boulevard (Westview Parkway to Black Mountain Road) Black Mountain Road (Mercy Road to Park Village Drive)</p> <p><u>Intersections</u></p> <p>The following intersections are projected to operate at unacceptable LOS and cumulatively significant impacts:</p> <p>Mercy Road/Black Mountain Road Hillery Drive/Black Mountain Road Gold Coast Drive/Black Mountain Road Mira Mesa Boulevard/Black Mountain Road</p> <p><u>Freeway and Ramp Meters</u></p> <p>A significant impact would occur at the Mira Mesa Blvd/I-15 SB onramp (EB) in both the am and pm peak hours.</p>	<p>TRAF-3 Prior to the issuance of a building permit for the first residential dwelling unit, the applicant shall assure, to the satisfaction of the City Engineer, construction of a northbound right-turn lane at the intersection of Black Mountain Road and Hillery Drive. This mitigation would reduce impacts, to the Black Mountain Road and Hillery Drive intersection, to below a level of significance.</p> <p>TRAF-4 Prior to the issuance of a building permit for the first residential dwelling unit, the applicant shall assure, to the satisfaction of the City Engineer, widening of eastbound and westbound approaches and assure an additional westbound right-turn lane at the intersection of Black Mountain Road and Gold Coast Drive. This mitigation would reduce impacts, to the intersection of Gold Coast Drive and Black Mountain Road, to below a level of significance.</p> <p>TRAF-5 Prior to the issuance of a building permit for the first residential dwelling unit, the project applicant shall either provide a fair-share contribution of \$1,572,000 towards the construction of the I-15 'managed lanes south segment' project or provide a fair share contribution distributed by building and totaling \$1,572,000 (in 2008 dollars) in the following manner: Prior to the issuance of a building permit for the first residential building permit, the applicant shall provide a fair-share contribution of \$700,000 (in 2008 dollars). Prior to the issuance of a building permit for the second building (811th residential unit), the applicant shall provide a fair-share contribution of \$700,000 (in 2008 dollars). Prior to the issuance of a building permit for the third building (1,621st residential unit), the applicant shall provide a fair-share contribution of \$172,000 (in 2008 dollars) towards the construction of the I-15 'managed lanes south segment' project. This contribution is to be paid subject to the satisfaction of the City Engineer. The fair-share contribution would partially mitigate the Mira Mesa Boulevard/ I-15 SB ramp cumulative impact and the Mira Mesa Boulevard street segment from I-15 onramps to Westview Parkway; however, there is no certain method of determining whether or not the fair-share contribution to Caltrans would actually fully mitigate the project's cumulative contribution to significant impacts at this intersection, and if construction of the</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>managed lanes south segment project is not completed by Caltrans, impacts would remain unmitigated.</p> <p>TRAF-6 Prior to the issuance of a building permit for the first residential dwelling unit, the applicant shall assure, to the satisfaction of the City Engineer, an extension of the westbound dual-left turn lanes on Mira Mesa Boulevard as well as provide striping, signing, and modifications to increase the storage for the southbound left turn lanes on Westview Parkway in order to increase the capacity of this intersection and increase the capacity of street segments on Mira Mesa Boulevard. This mitigation measure would partially reduce impacts to the Mira Mesa Boulevard street segment from the I-15 on-ramps to Westview Parkway.</p>	
Air Quality		
The proposed project would result in significant short-term and long-term emission impacts from construction related to NO _x . In addition, the maximum daily operational emissions would exceed the significance thresholds for VOC, CO, and PM ₁₀ emissions.	<p>AQ-1 During the construction phase, contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications. Construction equipment utilized for grading and excavation shall be equipped with a diesel oxidation catalyst of reducing NO_x emissions by 40%. As feasible, contractors shall utilize electricity from power poles rather than temporary diesel or gasoline generators. Heavy-duty haul/delivery trucks shall be prohibited from idling in excess of five minutes, both on and off site, to be consistent with State law.</p> <p>AQ-2 Construction activity that affects traffic flow on the arterial system shall be limited to off-peak hours, as feasible. In addition, construction parking shall be configured to minimize traffic interference.</p>	With the implementation of mitigation, impacts related to air quality would be reduced to levels below significance, with the exception of long-term operational PM ₁₀ , VOC, and CO emissions, which would remain unmitigated.
Public Facilities and Services		
The project as proposed would increase the population by approximately 4805 residents which would increase demand for public facilities and services. The project would have a significant impact on solid waste service (direct and cumulative), and police services.	PFS-1 Prior to the issuance of any construction permit, including but is not limited to, demolition, grading, building or any other construction permit, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the all the requirements of the Refuse & Recyclable Materials Storage Regulations and all of the requirements of the waste management plan are shown and noted on the appropriate construction documents. All requirements, notes	With the implementation of mitigation, all project impacts related to public facilities and services would be reduced to levels below significance, with the exception of cumulative impacts to solid waste services, which would remain unmitigated.

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>and graphics shall be in substantial conformance with the conditions and exhibits of the associated discretionary approval.</p> <p>PFS-2 The construction documents shall include a waste management plan that addresses the following information and elements for demolition, construction, and occupancy phases of the project as applicable:</p> <ul style="list-style-type: none"> (a) tons of waste anticipated to be generated (b) material type of waste to be generated (c) source separation techniques for waste generated (d) how materials will be reused on site (e) name and location of recycling, reuse, or landfill facilities where waste will be taken if not reused on site (f) a "buy recycled" program (g) how the project will aim to reduce the generation of construction/ demolition debris (h) a plan of how waste reduction and recycling goals will be communicated to subcontractors (i) a time line for each of the three main phases of the project as stated above (j) a list of required progress and final inspections by City staff: <p>PFS-3 The plan shall strive for a goal of 50% waste reduction.</p> <p>PFS-4 The plan shall include specific performance measures to be assessed upon the completion of the project to measure success in achieving waste minimization goals.</p> <p>PFS-5 The Plan shall include notes requiring the Permittee to notify MMC and ESD when:</p> <ul style="list-style-type: none"> (a) a demolition permit is issued (b) demolition begins on site (c) inspections are needed. The permittee shall arrange for progress inspections, and a final inspection, as specified in the plan and shall contact both MMC and ESD to perform these periodic site visits during demolition and construction to 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>inspect the progress of the project's waste diversion efforts. When Demolition ends, notification shall be sent to: Mitigation Monitoring Coordination (MMC) Environmental Review Specialist 9601 Ridgehaven Court , Ste. 320, MS 1102 B San Diego, CA 92123 1636 (619) 980 7122 Development Service Department, Environmental Services Department (ESD) 9601 Ridgehaven Court, Ste. 320, MS 1103 B San Diego, CA 92123 1636 (858) 627-3303</p> <p>PFS-6 Prior to the issuance of any grading or building permit, the applicant shall receive approval, in writing, from the ADD of Entitlements Division, environmental designee (MMC) that the waste management plan has been prepared, approved, and implemented. Also prior to the issuance of any grading or building permit, the applicant shall submit written evidence to the ADD that the final Demolition/Construction report has been approved by MMC and ESD. This report shall summarize the results of implementing the above Waste Management Plan elements, including: the actual waste generated and diverted from the project, the waste reduction percentage achieved, and how that goal was achieved, etc.</p> <p>A. Pre Construction Meeting</p> <p>1. Demolition Permit - Prior to issuance of any demolition permit, the permittee shall be responsible to obtain written verification from MMC indicating that the permittee has arranged a preconstruction meeting to coordinate the implementation of the MMRP. The Precon Meeting shall include: the Construction Manager, Demolition/Building/Grading Contractor; MMC; and ESD and the Building Inspector and/or the Resident Engineer (RE) (whichever is applicable) to verify that</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>implementation of the waste management plan shall be performed in compliance with the plan approved by Entitlements Division and the San Diego Environmental Services Department (ESD), to ensure that impacts to solid waste facilities are mitigated to below a level of significance.</p> <ol style="list-style-type: none"> 2. At the Precon Meeting, the Permittee shall submit three (3) reduced copies (11x17 inches) of the approved waste management plan, which two (2) copies are to be distributed to MMC and one (1) ESD. 3. Prior to the start of demolition, the Permittee and/or the Construction Manager shall submit a construction/demolition schedule to MMC and ESD. <ol style="list-style-type: none"> a. Grading and Building Permit - Prior to issuance of any grading or building permit, the Permittee shall be responsible to arrange a preconstruction meeting to coordinate the implementation of the MMRP. The Precon Meeting shall include: the Construction Manager, Building/Grading Contractor, MMC, ESD, and the Building Inspector and/or the Resident Engineer (RE) (whichever is applicable) to verify that implementation of the waste management plan shall be performed in compliance with the plan approved by Entitlement Division and the ESD, to ensure that impacts to solid waste facilities are mitigated to below a level of significance. 4. The Permittee and/or Construction Manager shall call for inspections by the RE/BI and both MMC and ESD, who will periodically visit the demolition/construction site to verify implementation of the waste management plan. The Consultant Site Visit Record (CSVR) shall be used to document the Daily Waste Management Activity/progress. 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>5. Within 30 days after the completion of the implementation of the MMRP, for any demolition or construction permit, a final results report shall be submitted to both MMC and ESD for review and approval to the satisfaction of the City. MMC will coordinate the approval with ESD and issue the approval notification.</p> <p>6. Prior to final clearance of any demolition permit, issuance of any grading or building permit, release of the grading bond and/or issuance of any Certificate of Occupancy, the permittee shall provide documentation to the ADD of the Entitlements Division that the waste management plan has been effectively implemented.</p>	
Noise		
Construction of the proposed project would result in temporary increases in ambient noise levels in the project area on an intermittent basis and would result in a significant impact.	<p>NOI-1 All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices. This would reduce construction noise levels by at least 5 dB(A).</p> <p>NOI-2 Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than track equipment).</p> <p>NOI-3 Equipment staging areas shall be located on the southeastern portion of the project site, as far away as possible from single-family residences and the Willard B. Hage Elementary School.</p> <p>NOI-4 During building construction, the construction contractor shall implement sound attenuation blankets with a Sound Transmission Class rating of 10 or more along the northern portion of the project site. The sound attenuation blankets shall break the line of sight between construction activities and the single-family residences adjacent to the project site. The sound attenuation blankets shall remain in place as long as construction activity is located within 175 ft of the single-family residences. This would reduce construction noise levels by 10 dB(A) at single-family residences located north of the project site.</p> <p>NOI-5 During building construction, a 5 ft temporary noise barrier (e.g., solid wood) shall be constructed by the construction contractor</p>	With the implementation of mitigation measures, impacts would be reduced to below a level of significance, with the exception of construction noise impacts to future on-site sensitive receptors during construction phases 2 and 3. This project construction noise would result in a short-term significant and unavoidable impact to new on-site sensitive receptors.

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>along the western portion of the project site such that line of sight between construction activities and the Willard B. Hage Elementary School is blocked. The 5 ft noise barrier shall remain in place as long as construction activity is located within 175 ft of the elementary school. This would reduce construction noise levels by 5 dB(A) at the Willard B. Hage Elementary School.</p> <p>NOI-6 The construction contractor shall establish a noise disturbance coordinator. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early in the day, bad muffler, etc.) and shall be required to implement measures such that the complaint is resolved to the satisfaction of the City Engineering Department. Signs posted at the construction site shall list the telephone number for the disturbance coordinator.</p> <p>NOI-7 During building construction, a five-foot temporary noise barrier (e.g. solid wood) shall be constructed such that the line-of-sight is blocked between construction activity and new dwelling units. The five-foot noise barrier that blocks the line-of-sight from construction activity to new dwelling units constructed on the project site shall remain in place until buildings are constructed during phases 2 and 3.</p> <p>NOI-8 Lease agreements for residents occupying Phase 1 and Phase 2 dwelling units shall include notification of on-going phases 2 and 3 construction activity.</p> <p>NOI-9 An eight-foot permanent noise barrier (e.g., earth berm, solid wall, or some combination therefore) shall be constructed between the northeastern recreation area and I-15.</p>	
Paleontology		
Because the site has been graded in the past and both the Lindavista Formation and Stadium Conglomerate are exposed at grade, grading activities may encounter significant paleontological resources and impacts would	<p>PALEO-1 The following shall be implemented:</p> <p>I. Prior to Permit Issuance</p> <p>A. Entitlement Division Plan Check</p> <p>1. Prior to Notice to Proceed (NTP) for any construction</p>	With the application of mitigation, project impacts related to paleontology would be reduced to below a level of significance.

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
be potentially significant.	<p>permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.</p> <p>B. Letters of Qualification have been submitted to ADD</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the <i>Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.</i> 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project. 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program. <p>II. Prior to Start of Construction</p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed. 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor. <ol style="list-style-type: none"> a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring. 2. Identify Areas to be Monitored Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation). 3. When Monitoring Will Occur <ol style="list-style-type: none"> a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur. b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence 	

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TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>of fossil resources, etc., which may reduce or increase the potential for resources to be present.</p> <p>III. During Construction</p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities. 2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC. 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present. <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or PI, as appropriate. 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery. 3. The PI shall immediately notify MMC by phone of the 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>C. Determination of Significance</p> <ol style="list-style-type: none"> 1. The PI shall evaluate the significance of the resource. <ol style="list-style-type: none"> a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI. b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered. d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required. <p>IV. Night and/or Weekend Work</p> <ol style="list-style-type: none"> A. If night and/or weekend work is included in the contract <ol style="list-style-type: none"> 1. When night and/or weekend work is included in the contract package, the extent and timing shall be 	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>presented and discussed at the precon meeting.</p> <p>2. The following procedures shall be followed.</p> <p>a. No Discoveries In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.</p> <p>b. Discoveries All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.</p> <p>c. Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.</p> <p>d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</p> <p>B. If night work becomes necessary during the course of construction</p> <p>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</p> <p>2. The RE, or BI, as appropriate, shall notify MMC immediately.</p> <p>C. All other procedures described above shall apply, as appropriate.</p> <p>V. Post Construction</p> <p>A. Preparation and Submittal of Draft Monitoring Report</p> <p>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with</p>	

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.</p> <ol style="list-style-type: none"> a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report. b. Recording Sites with the San Diego Natural History Museum <p>The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.</p> <ol style="list-style-type: none"> 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report. 3. The PI shall submit revised Draft Monitoring Report to MMC for approval. 4. MMC shall provide written verification to the PI of the approved report. 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals. <p>B. Handling of Fossil Remains</p> <ol style="list-style-type: none"> 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued. 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that 	

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TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>faunal material is identified as to species; and that specialty studies are completed, as appropriate.</p> <p>C. Curation of fossil remains: Deed of Gift and Acceptance Verification</p> <ol style="list-style-type: none"> 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution. 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC. <p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved. 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution. 	
Biological Resources		
Potential short-term construction related impacts could result to bird species nesting in the line of trees located along the eastern edge of the project site. Significant impacts would result if grading activities occur during the breeding season of this species.	<p>BIO-1 To avoid direct impacts to the California horned lark, which nests on the ground and could nest on site, nesting bird surveys shall be conducted within 72 hours of any vegetation clearing if development occurs between March 15 and August 15. If occupied nests are present, impacts to vegetation shall be avoided until the juvenile birds have fledged.</p> <p>BIO-2 If the site has a potential to support nests and nesting raptors are present during grading and/or construction activities, compliance with the Migratory Bird Treaty Act/Section 3503 would preclude the potential for direct impacts.</p> <p>BIO-3 If there is a potential for indirect noise impacts to nesting raptors, prior to any grading within the development area during the raptor</p>	With implementation of mitigation measures, impacts to biological resources would be reduced to below a level of significance.

TABLE ES-1 (Cont.)

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>breeding season (February January 15 through September August 15) the biologist shall ensure that no raptors are nesting. If construction occurs during the raptor breeding season a preconstruction survey shall be conducted and no construction shall be allowed within 300 to 500 feet of any identified nest(s) until the young fledge. Should the biologist determine that raptors are nesting, an active nest shall not be removed until after the breeding season.</p> <p>BIO-4 To avoid indirect impacts to raptors nesting in adjacent trees east of the work area, a nesting raptor survey shall be conducted by a qualified biologist within 72 hours prior to the start of grading if construction occurs between January 15 and August 15. If occupied nests are present within 500 ft of the construction area, construction must be avoided in the 500 ft buffer area around the nest until the juvenile birds have fledged.</p>	

ES-5 AREAS OF KNOWN CONTROVERSY

Comment letters received during the Notice of Preparation (NOP) public scoping period expressed concern about impacts to transportation/circulation and aesthetics/neighborhood character/visual quality. These concerns have been identified as areas of known controversy and are analyzed in this EIR. *Appendix A* contains the comment letters received in response to the NOP.

ES-6 PROJECT ALTERNATIVES

An analysis of alternatives has been provided in this document to provide decision makers with a reasonable range of possible alternatives to be considered. The discussion in this EIR focuses on three alternatives: the No Project Alternative, the 570-Unit Alternative and the 1,032-Unit Alternative.

A matrix displaying the major characteristics and significant environmental effects of each alternative is provided in *Table ES-2* to summarize the comparison. The matrix also indicates whether the alternative would be feasible in terms of meeting the project objectives as defined in *Chapter 3*.

Environmentally Superior Alternative

CEQA requires that an environmentally superior alternative, other than the No Project Alternative, be identified in an EIR. As shown in *Table ES-2*, the project alternatives would reduce or avoid impacts to several impact areas but would not meet most of the project objectives.

TABLE ES-2
Alternatives Summary

Environmental Issue	No Project Alternative	570-Unit Alternative	1,032-Unit Alternative
Transportation/Circulation	Impacts avoided	Impacts reduced	Impacts reduced
Air Quality	Impacts avoided	Impacts reduced	Impacts reduced
Noise	Impacts avoided	Impacts reduced	Impacts reduced
Public Facilities and Services	Impacts avoided	Similar	Similar
Paleontology	Impacts avoided	Similar	Similar
Biology	Impacts avoided	Similar	Impacts Reduced
Land Use	Impacts avoided	Impacts reduced	Similar
Aesthetics	Impacts avoided	Impacts reduced	Similar
Water Quality	Impacts avoided	Similar	Similar
Geology	Impacts avoided	Similar	Similar
Human Health/ Public Safety/ Hazardous Materials	Impacts avoided	Similar	Similar
Energy Conservation	Impacts avoided	Impacts reduced	Impacts reduced
Meets Most Project Objectives?	No	No	No
Feasible?	N/A	Yes	Yes

The 570-Unit Alternative or the 1,032-Unit Alternative would not achieve project objectives 1, 3, 4, 7, or 8, since they would not provide 1,848 units, and would not provide the greatest amount of a variety of housing for workers in the area. They would also not provide affordable housing units when compared to the proposed project, given the substantial reduction in the number of market-rate units. Further, it would not be consistent with or fulfill the rights vested under the existing development agreement for the project, since it would not provide 1,848 units, and it would not fulfill the Mira Mesa Community Plan's desired development intensity for the site. As such, these alternatives would not feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen some of the significant effects of the project.

The No Project Alternative (i.e., the no development alternative) would be the environmentally superior alternative because it would minimize several impacts more so than the 570-Unit Alternative or the 1,032-Unit Alternative. However, CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. In this case, the environmentally superior alternative is the 570-Unit Alternative, which would reduce some of the project's identified significant impacts environmental impacts, but would not meet most of the project objectives. Also, as with the proposed project, the 570-Unit Alternative would still result in cumulatively significant and unmitigable impacts to solid waste, and significant impacts to paleontology and biology.

CHAPTER 1.0 INTRODUCTION

This Environmental Impact Report (EIR) evaluates the potential short-term and long-term, direct, indirect and cumulative environmental impacts of the proposed Casa Mira View project (the “project”). The project involves the development of three 5-story residential buildings within approximately 41 acres, in the Mira Mesa Community of the City of San Diego (City). Each residential building would wrap around a five-story, aboveground parking structure. The project site is located at the southeastern corner of Westview Parkway and Capricorn Way. Access to the site would be provided via three driveways along Westview Parkway.

The project would require the approval of several discretionary actions. A vesting tentative map (VTM) would be required to create 1,848 condominium units and project phasing lots. A site development permit (SDP) would be required as this multifamily residential development exceeds 19 dwelling units and because the project's off-site traffic improvements would be located within 100 feet of sensitive biological resources which are within and adjacent to the City's MHPA of the City's MSCP Subarea Plan. The project is regulated by a previously approved 1988 development agreement for the Westview and Casa Mira View developments, City Ordinance Number 0-17178. This development agreement was assigned to the current project applicant in December, 2007. A planned development permit (PDP) would be required to address the deviations being proposed by the project, one of which is the height of the residential structures. While the density of the project is consistent with the land use designation of the Mira Mesa Community Plan, a rezone is needed to better match the proposed building features with the proposed zone. A rezone is also required to allow for 1,848 units as approved by the development agreement. Several unused utility easements would need to be vacated prior to construction of the residential units.

1.1 CEQA REQUIREMENTS

1.1.1 CEQA COMPLIANCE

The California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000 et seq.) requires the preparation of an EIR for any project that a Lead Agency determines may have a significant impact on the environment. According to Section 21002.1(a) of the CEQA Statutes, “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project and to indicate the manner in which those significant effects can be mitigated or avoided.” CEQA also establishes mechanisms whereby the public and decision makers can be informed about the nature of the project being proposed, and the extent and types of impacts that the project and its alternatives would have on the environment if they were to be implemented. This EIR has been prepared to

comply with all criteria, standards, and procedures of the State CEQA guidelines (California Code of Regulations, Section 15000, et. seq.).

This EIR has also been prepared pursuant to the City Environmental Impact Report Guidelines (2005). This document has been prepared as a project EIR pursuant to Section 15161 of the CEQA Guidelines, and it represents the independent judgment of the City as lead agency (14 CCR 15050).

1.1.2 NOTICE OF PREPARATION AND SCOPING MEETING

The scope of analysis for the EIR was determined by the City in a scoping letter dated November 19, 2007, as well as a result of responses to the Notice of Preparation (NOP). In compliance with Section 15082 of the CEQA Guidelines, the City Development Services Department circulated the NOP, dated November 19, 2007, to interested agencies, groups, and individuals. The 30-day public scoping period ended on December 19, 2007. In addition, a public scoping meeting was held at Walker Elementary School on December 5, 2007, to gather additional public input. Comments received during the NOP public scoping period and meeting were considered during the preparation of this EIR. The NOP and comments are included in *Appendix A* of this EIR. Based on the scope of analysis for this EIR, the following issues were determined to be potentially significant and are therefore addressed in *Chapter 4.0, Environmental Analysis* of this document:

- Land Use
- Air Quality
- Transportation/Circulation
- Noise
- Aesthetics/Neighborhood Character/Visual Quality
- Public Facilities and Services
- Paleontological Resources
- Water Quality
- Geologic Conditions
- Energy Conservation
- Biological Resources.

In addition, comment letters received during the NOP public scoping period expressed concern about Transportation/Circulation and Aesthetics. These concerns have been identified as areas of known controversy and are also analyzed in *Chapter 4.0, Environmental Analysis* of this EIR.

Additional CEQA-mandated environmental topics, such as Agricultural Resources and Mineral Resources, were not found to be significant based on the scoping results. These issues are addressed in *Chapter 5.0, Effects Not Found Significant* of the EIR.

1.2 PURPOSE AND USES OF THIS EIR

EIRs are informational documents “which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project” (14 CCR 15121). This project EIR evaluates the potentially significant environmental effects which would result with implementation of the Casa Mira View project.

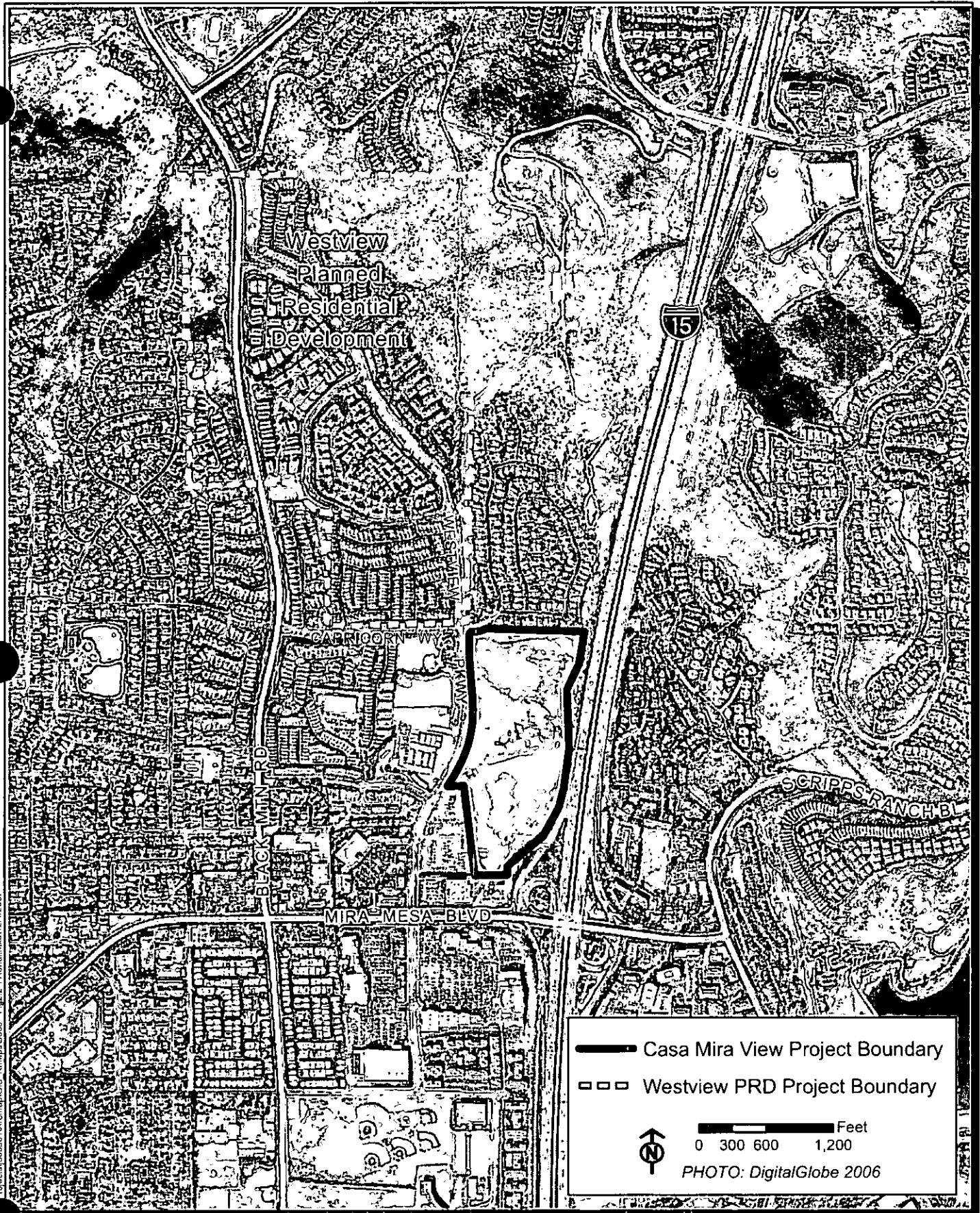
This EIR is intended for use by both decision makers and the public. It provides relevant information concerning the potential environmental effects associated with the construction and operation of a proposed multifamily residential development. A previously certified environmental document (Black Mountain Roadway Network and Westview Planned Residential Development Final EIR, City Project Nos. 86-0969 and 87-0177, and State Clearinghouse Nos. 87012102 and 87031818) was prepared in 1987 and addressed impacts on the Westview site to the immediate north (see *Figure 1-1, Westview Planned Residential Project*). The Casa Mira View project’s cumulative traffic impacts were contemplated in the Westview EIR, and also as part of the EIR prepared for the most recent update to the Mira Mesa Community Plan (1992).

The purpose of an EIR is to disclose the significant environmental effects of the project, alternatives to the project, and possible ways to reduce or avoid potential environmental damage (14 CCR 15002). This EIR would be made available for review by members of the public and public agencies for 45 days to provide comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (14 CCR 15204). The EIR would be available for review at:

City of San Diego, Development Services Department
1222 First Avenue, Fifth Floor
San Diego, California 92101-4153

Mira Mesa Branch Library
8405 New Salem Street
San Diego, California 92126-2308

Scripps Ranch Community Service Center
11885 Cypress Canyon Road
San Diego, California 92131



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Casa Mira View EIR Westview Planned Residential Development

FIGURE
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The Notice of Availability of the EIR will be mailed as required by the CEQA Guidelines and City.

As the designated Lead Agency, the City has assumed responsibility for preparing this document. The decision to approve the Casa Mira View project is within the purview of the City Council (Process 5 City Council Approval). When deciding whether to approve the project, the City will use the information included in this EIR to consider potential impacts on the physical environment associated with the project.

The City will consider written comments received on the EIR in making its decision to certify the EIR as complete and in compliance with CEQA, and also whether to approve or deny the project. In the final review, environmental considerations and economic and social factors will be weighed to determine the most appropriate course of action. Subsequent to certification of the EIR, agencies with permitting authority over all or portions of the project would use the EIR as the basis for their evaluation of environmental effects of the project and approval or denial of applicable permits.

The City will use the EIR and supporting documentation in its decision to issue discretionary permits, including an SDP, PDP, Rezone, Easement Vacation, and VTM.

The San Diego Regional Water Quality Control Board (RWQCB) will use the EIR and supporting documentation in its decision to issue water quality permits in accordance with the Porter-Cologne Water Quality Control Act. Permits include a National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, a Clean Water Act 401 Water Quality Certification, or both.

The California Department of Transportation (Caltrans) will use the EIR and supporting documentation in its decision to issue an encroachment permit for work along Interstate 15 (I-15).

Additional information regarding City and agency permits and approvals is detailed in *Section 3.3, Discretionary Actions* of this EIR.

1.3 EIR FORMAT

An executive summary of this EIR is provided at the beginning of this document. The summary includes the conclusions of the environmental analysis and a comparative summary of the project with the alternatives analyzed in this EIR. *Chapter 1.0* introduces the project in light of the required environmental review procedures. *Chapter 2.0* describes the project location and physical environmental setting. *Chapter 3.0* provides the project description, the purpose and objectives of the project, required discretionary approvals, and a brief description of project

changes in response to environmental issues. *Chapter 4.0* consists of the environmental analysis, which examines the potentially significant environmental issues. *Chapter 5.0* addresses effects not found to be significant. *Chapter 6.0* addresses the significant irreversible environmental changes which would be involved with the project should it be implemented. The growth inducement analysis and cumulative effects are provided in *Chapter 7.0* and *Chapter 8.0*, respectively. *Chapter 9.0* addresses a reasonable range of project alternatives. *Chapter 10.0* includes the mitigation monitoring and reporting program. The final three chapters and the appendices are provided as set forth in the *Table of Contents*.

CHAPTER 2.0 ENVIRONMENTAL SETTING

This chapter provides a description of existing site conditions, including a description of the natural resources contained on the project site. The section also provides an overview of the local and regional environmental setting of the project, per Section 15125 of the CEQA Guidelines.

2.1 LOCATION

The Casa Mira View project site is located within the Mira Mesa Community in the north-central portion of the City of San Diego (see *Figure 2.1-1, Regional Map*). The Mira Mesa Community Planning area is approximately 10,500 acres in size and is bounded on the north by Los Penasquitos Canyon Preserve, on the east by I-15, on the south by Miramar Road, and on the west by Interstate 5 (I-5). Specifically, the project site is located south of Capricorn Way and an existing residential development, immediately west of I-15, north of Mira Mesa Boulevard, and immediately east of Westview Parkway (see *Figure 2.1-2, Vicinity Map*).

2.2 PHYSICAL CHARACTERISTICS

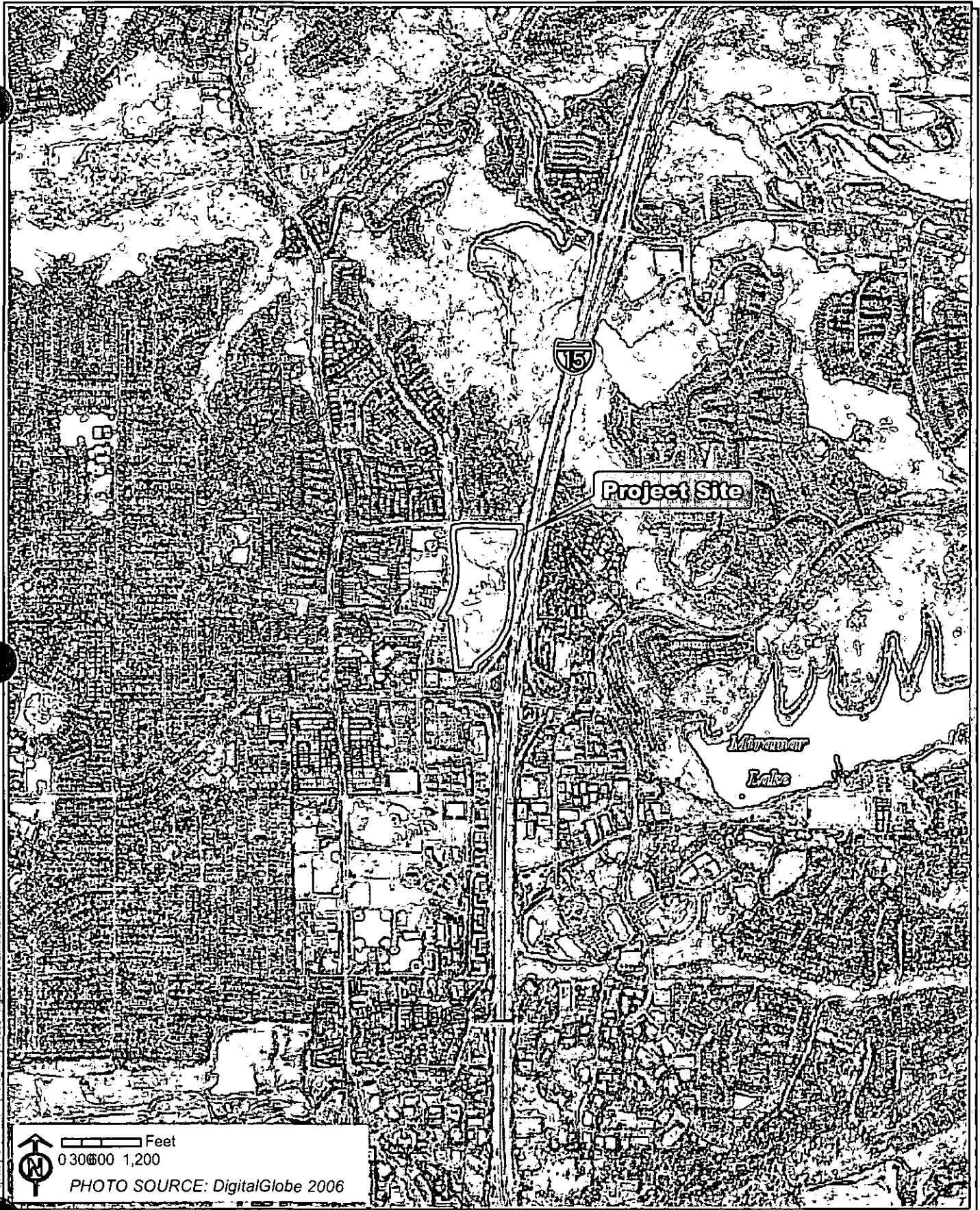
2.2.1 EXISTING ON-SITE USES

The project site is currently undeveloped but was graded by the former owner of the property in conjunction with neighboring development under City Engineering Grading Plan No. 16126-D. There are no existing uses on the project site (see *Figure 2.2-1, Aerial Photograph*).

2.2.2 EXISTING PHYSICAL SITE CONDITIONS

The 41.30-acre project site is irregular in shape and is located at an elevation of approximately 480 to 505 feet (ft) above mean sea level (AMSL). The site is relatively flat and has been graded and filled in the past. The site was also used by the previous land owner as a temporary spoil/stockpile site for surrounding development projects. The site varies from 20 to 25 ft of cut areas to approximately 50 ft of fill. Approximately 2:1 slopes are present along the western and northwestern portions of the site. Two desilting basins are located at the northwest and southwest corners of the site.

Soils types within the Linda Vista Formation and Stadium Conglomerate geologic units include topsoil, undocumented fill, previously placed fill, and alluvium (Geocon 2007). The soils generally consist of loose to medium dense silty to clayey sand and silty to sandy clay with gravel and cobbles. The project site consists of disturbed land; no native plant communities are present on site (Dudek 2007).



0 300 600 1,200 Feet

PHOTO SOURCE: DigitalGlobe 2006

Project: j66501A\rcmap\GIS_Remap\5685 - Fig 2-1 Aerial.mxd 1/24/2007

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Casa Mira View EIR
Aerial Photograph

FIGURE
2.2-1

2.3 SURROUNDING LAND USES

The project site is located in an urban setting and is surrounded by existing development and major transportation corridors. As shown in *Figure 2.3-1, Existing Land Uses*, single-family residential subdivisions are located to the north and northwest. A neighborhood park (Westview Park) and Hage Elementary School are located across the street on the west side of Westview Parkway. Mesa Shopping Center and an existing park-n-ride facility maintained by Caltrans are located south of the site. Along the easterly property line is I-15.

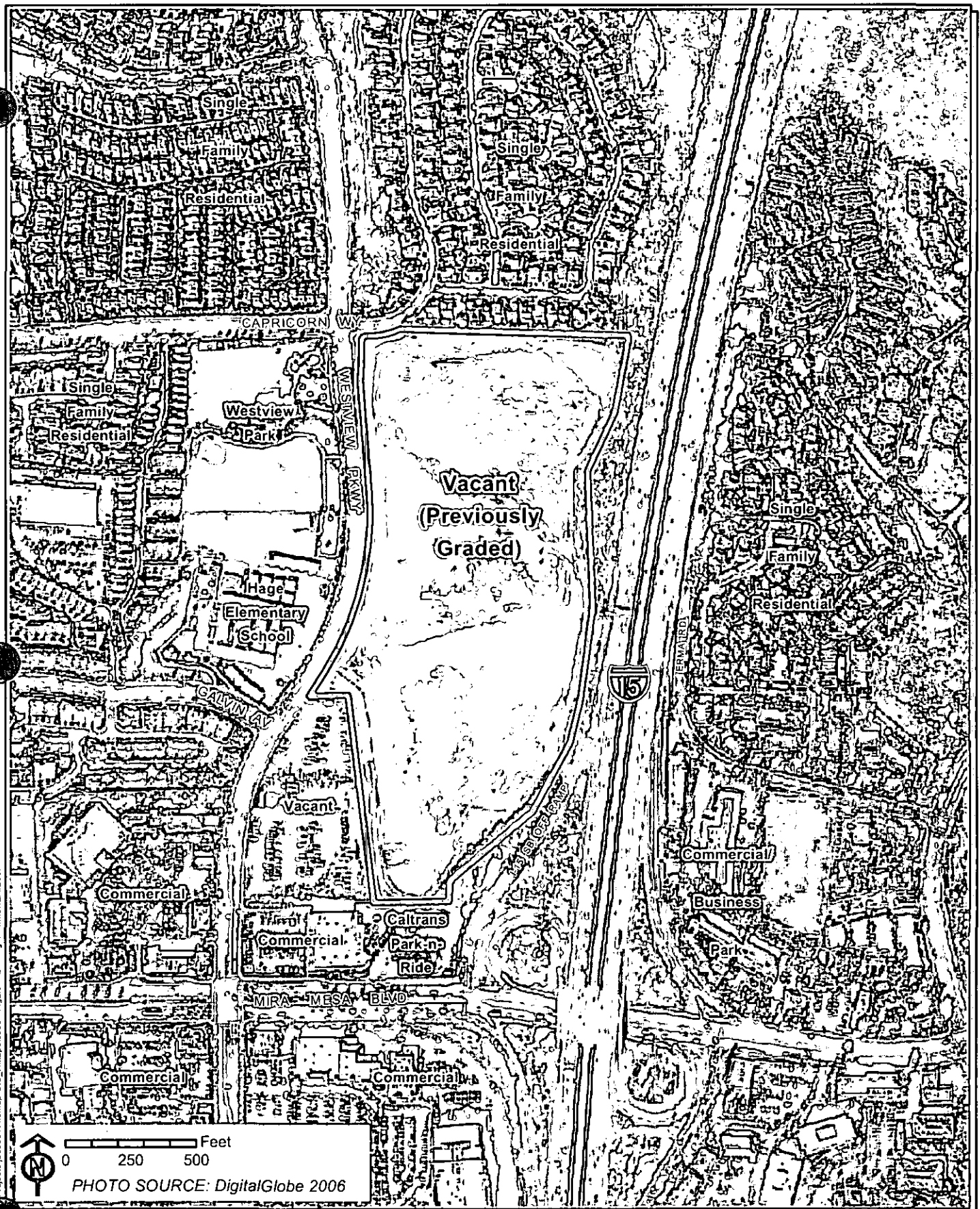
2.4 APPLICABLE GENERAL PLANS AND REGIONAL PLANS

2.4.1 PROGRESS GUIDE AND GENERAL PLAN

The State of California requires each city to have a General Plan to guide its future and mandates that the plan be updated periodically to assure relevance and utility. The City's Progress Guide and General Plan (General Plan) is a comprehensive, long-term document that prescribes overall goals and policies for development within the City. The Strategic Framework Element, which replaces the Guidelines for Future Development, serves as an update to the General Plan and guides the City in accommodating future growth. The Residential Growth Management program, the predecessor to the City of Villages strategy, has divided the City into the phases or tiers of growth: Urbanized, Planned Urbanizing, and Future Urbanization. The project site is located within an area designated as Planned Urbanized. The development of multifamily residential uses would be consistent with this designation.

2.4.2 DRAFT GENERAL PLAN UPDATE

In September 2007, the City published a revised Draft City of San Diego General Plan. On November 8, 2007, the Planning Commission voted unanimously to recommend City Council adoption of the updated General Plan, with recommended edits. The City Council's Land Use and Housing Committee met on December 5, 2007, and voted to approve the Draft General Plan and forwarded it on for City Council action, with recommended edits and comments. A hearing before the full City Council was held on March 10, 2008, with resolution to adopt the Draft General Plan with the recommended edits and comments. The updated General Plan offers new policy direction in the areas of urban form, neighborhood character, historic preservation, public facilities, recreation, conservation, mobility, housing affordability, economic prosperity, and equitable development. It recognizes and explains the critical role of the community planning program as the vehicle to tailor the City of Villages strategy for each neighborhood. It also outlines the plan amendment process, and other implementation strategies, and considers the continued growth of the city beyond the year 2020. The Casa Mira View project site is designated for Residential use under the Draft General Plan Land Use and Street System Map.



Casa Mira View EIR
Existing Land Uses

FIGURE
2.3-1

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2.4.3 MIRA MESA COMMUNITY PLAN

The Mira Mesa Community Plan is the City's statement of policy for the physical development of the Mira Mesa community. The Mira Mesa Community Plan designates appropriate areas for residential use, commercial services, and industrial and other employment generating uses; identifies areas that should remain free of development due to topographic, vegetation or wildlife characteristics; and establishes the goals and policies that guide the City in land use decisions. The Mira Mesa Community Plan designates the project site for Medium High Density Residential use (30–45 units per acre). The project would be consistent with this designation. A detailed analysis of the project in the context of the applicable elements of the General Plan and Mira Mesa Community Plan is provided in *Section 4.1, Land Use* of this EIR.

2.4.4 ZONING

The underlying zoning for the project site is currently designated by the City as residential-multiple unit zone (RM-3-7). The project site is also regulated by a previously approved 1988 development agreement for the Westview and Casa Mira View developments per City of San Diego Ordinance Number 0-17178. This development agreement was assigned to the project applicant in December 2007. The development agreement authorizes 1,848 dwelling units on the project site. According to the City's Municipal Code Section 131.0406, the purpose of the RM zone is to provide for multiple dwelling unit developments at varying densities. The RM zone accommodates development with similar densities and characteristics and is intended to establish development criteria that consolidates common development regulations, accommodates specific dwelling types, and responds to locational issues regarding adjacent land uses. While the specific designation of RM-3-7 allows for a maximum density of 1 dwelling unit for each 1,000 square ft of lot area, a rezone to RM-3-8 would change the allowable density to make it consistent with what was already vested by the development agreement. The RM-3-8 zone is also compatible with the land use designation of the Mira Mesa Community Plan. It is also intended that the residential zones reflect desired development patterns in existing neighborhoods while accommodating the need for future growth.

2.4.5 REGIONAL PLANS

In accordance with Section 15125(d) of the State CEQA Guidelines, this environmental setting discussion includes statements relative to conformance with applicable regional plans. In addition to the City's General Plan, the following regional plans are assessed for consistency. These plans are further discussed in *Section 4.1, Land Use* of this EIR.

Airport Land Use Compatibility Plan MCAS Miramar

The Casa Mira View project site is located immediately outside of the Marine Corps Air Station Miramar (MCAS Miramar) Airport Influence Area (AIA) as identified in the 2004 San Diego County Regional Airport Authority (SDCRAA) MCAS Miramar Airport Land Use Compatibility Plan (ALUCP). Due to the project's immediate adjacency to the MCAS Miramar AIA, the project's compatibility of land use with the airport is addressed in this EIR.

The ALUCP identifies noise contours for the area surrounding MCAS Miramar. The project noise contours radiate out from the airport and the flight path of associated aircraft. The projected noise contours do not overlay the project site (City of San Diego 1992).

The ALUCP also identifies accident potential zones (APZs), which establish land use restrictions to minimize the number of people exposed to aircraft crash hazards. The project site is located outside of the designated APZs (City of San Diego 1992).

Draft Update Airport Land Use Compatibility Plan MCAS Miramar

In April of 2008 the San Diego County Regional Airport Authority released the Draft EIR for the MCAS Miramar ALUCP Update. According the Draft EIR for the MCAS Miramar ALUCP the Casa Mira View project site is located within the proposed MCAS Miramar AIA (SDCRAA 2008).

The MCAS Miramar ALUCP Update also identified noise contours and APZs. According to the Draft EIR MCAS Miramar ALUCP update the project site is located outside both the noise contours and the APZs (SDCRAA 2008).

Regional Air Quality Plan

The San Diego Air Pollution Control District (APCD) and San Diego Association of Governments (SANDAG) have jointly developed the San Diego Regional Air Quality Strategy (RAQS) to identify feasible emission control measures to achieve compliance with the State ozone standard. The RAQS addresses volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), which are the precursors to the photochemical formation of ozone. The last RAQS was initially adopted in 1991 and most recently amended in 2004. The San Diego APCD has also developed the air basin's input to the State Implementation Plan (SIP), which is required under the Federal Clean Air Act for areas that are out of attainment of air quality standards. The RAQS relies on information from the California Air Resource Board and SANDAG, including mobile area source emissions and information regarding projected growth in the County to project future emissions. The RAQS then determines the strategies necessary for reduction of emissions through regulatory controls. Since the project would be consistent with the City's

General Plan, the project would not affect air quality planning assumptions of the RAQS and SIP. See *Section 4.3, Air Quality* for further details.

Congestion Management Program

As the transportation planning agency for the San Diego region, SANDAG is responsible for preparing and coordinating the implementation of a Congestion Management Program (CMP). The CMP guidelines stipulate that any project development generating 2,400 or more average daily trips, or 200 or more peak hour trips must be evaluated in accordance with the requirements of the Regional CMP. The CMP analysis must include the traffic level of service (LOS) impacts on affected freeways and Regionally Significant Arterial (RSA) systems, which includes all designated CMP roadways. In order to conform to the region's CMP, the local jurisdiction must adopt and implement a land use analysis program to assess impacts of land use decisions on the regional transportation system. See *Section 4.2* for the CMP analysis.

Water Quality Control Plan for the San Diego Basin

The Environmental Protection Agency (EPA) has delegated responsibility for implementation of portions of the Clean Water Act (CWA) to the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs), including water quality control planning and control programs, such as the National Pollutant Discharge Elimination System (NPDES) program. The NPDES program is a set of permits designed to implement the CWA that apply to various activities that generate pollutants with potential to impact water quality.

The RWQCB adopted a Water Quality Control Plan for the San Diego Basin (Basin Plan). This Basin Plan sets forth water quality objectives for constituents that could potentially cause an adverse effect or impact on the beneficial uses of water. The plan is designed to preserve and enhance the quality of water resources in the San Diego Region. The purpose of the plan is to designate beneficial uses of the Region's surface and ground waters, designate water quality objectives for the reasonable protection of those uses, and establish an implementation plan to achieve the objectives. The Basin Plan incorporates by reference all applicable SWRCB and RWQCB plans and policies.

Projects resulting in discharges, whether to land or water, are subject to Section 13263 of the California Water Code and are required to obtain approval of Waste Discharge Requirements (WDRs) from the RWQCBs. During both construction and the operation, private and public development projects are required to include storm water best management practices (BMPs) to reduce pollutants discharged from the project site to the maximum extent practicable.

2.5 EMERGENCY SERVICES

2.5.1 FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The proposed Casa Mira View development is located within the service area of the City Fire Department. To provide adequate fire protection the Fire Department strives to provide a five-minute response time to areas in need of service and a 10-minute response time for paramedic ambulances throughout the City.

There are two fire stations within a 1.25-mile radius of the project site. Fire Station 38, located at 8441 New Salem Street, serves Mira Mesa and surrounding areas. Fire Station 38 is approximately 1.25 miles west of the project site. Fire Station 44, located at 10011 Black Mountain Road, serves Eastern Mira Mesa and surrounding areas. Fire Station 38 would have a response time of 4.1 minutes to the project site, and Station 44 would have a response time of 4.6 minutes.

2.5.2 POLICE PROTECTION

The General Plan identifies the Police Facilities Plan as the resource document for Police Department Standards. The Police Facilities Plan establishes a seven-minute average response time as a department goal. The City presently maintains a citywide ratio of 1.5 sworn personnel per 1,000 residents (City of San Diego Police Department 2007b). The closest police facility is located approximately 1.5 miles from the project site at 8450 #A Mira Mesa Boulevard. This facility is a police storefront and only serves members of the community for walk-in questions. Officers are not dispatched from this location. The project is located within the Northeastern Division of the San Diego Police Department services area, which is located 2.25 miles north of the project site. The average response time for an emergency call from the entire Northeastern Division is 7.70 minutes, which is 0.70 minute over the City's emergency response time goal. The goal for priority one calls is 12 minutes; however, the actual response time within the Northeastern Division is 16.35 minutes, 4.35 minutes above the average response time for priority one calls. Response time goals for all other priorities (two, three, and four) are met within the Northeastern Division (City of San Diego Police Department 2007b).

CHAPTER 3.0 PROJECT DESCRIPTION

This chapter describes the objectives of the project and provides a detailed description of project characteristics. This chapter also discusses the discretionary actions required and gives a brief history of project changes.

3.1 PURPOSE/OBJECTIVES OF THE PROJECT

The project objectives are to:

1. Provide 1,848 multifamily residential units within the Mira Mesa Community.
2. Provide a variety of multifamily residential types to serve the residents of Mira Mesa.
3. Provide the greatest amount of housing for a variety of workers commuting to the employment centers of Mira Mesa and Sorrento Mesa.
4. Provide on-site affordable housing units in proportion to other market-rate housing units, and pursuant to the City's inclusionary housing ordinance.
5. Provide recreational and open space amenities for residents of the 1,848 Casa Mira View units.
6. Promote smart growth principles by locating high-density residential uses on Mira Mesa's last large, vacant site in a predominantly urbanized area.
7. Develop a project that is consistent with and fulfills the rights vested under the existing development agreement for the project and project site.
8. Fulfill the Mira Mesa Community Plan's desired development intensity for the site.

3.2 PROJECT CHARACTERISTICS

The project site currently consists of six assessor parcel numbers (APNs 318-410-20 through -25). The project would be processed as a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act.

The residential project would develop three residential buildings on approximately 41 acres. The residential structures would contain a total of 1,848 multifamily dwelling units. Each residential building area would contain a parking structure, supporting recreational uses and amenities, guest parking areas and shuttle pick-up areas (refer to *Figure 3.2-1, Site Plan*). The project's design would result in each of the residential buildings wrapping around an abovegrade parking structure. In addition to the residential and parking structures, the project proposes to develop a

clubhouse building within residential building areas 1 and 2. *Table 3.2-1 Summary of Building Areas* lists the total area for each building area.

**TABLE 3.2-1
Summary of Building Areas**

Building Description	Building Area (sf)
Residential Building Area 1	1,307,115
Residential Building Area 2	1,307,115
Residential Building Area 3	401,330
Clubhouse Area 1	30,000
Clubhouse Area 2	30,000
Parking Garage Area 1	495,845
Parking Garage Area 2	495,845
Parking Garage Area 3	138,750
Common Area	853,697
<i>Total</i>	<i>3,929,257</i>

Source: Architects Togawa Smith Martin 2007

The project would include a main point of access to Buildings 1 and 2 via Westview Parkway. This access point would be identified by signage and landscaping and located across from Westview Park. A second access point would extend from Galvin Avenue to Building 3 and secondary access to Building 2. In addition, an emergency only access point would be located to the north of the main access point. All three access points would be provided along Westview Parkway.

3.2.1 RESIDENTIAL

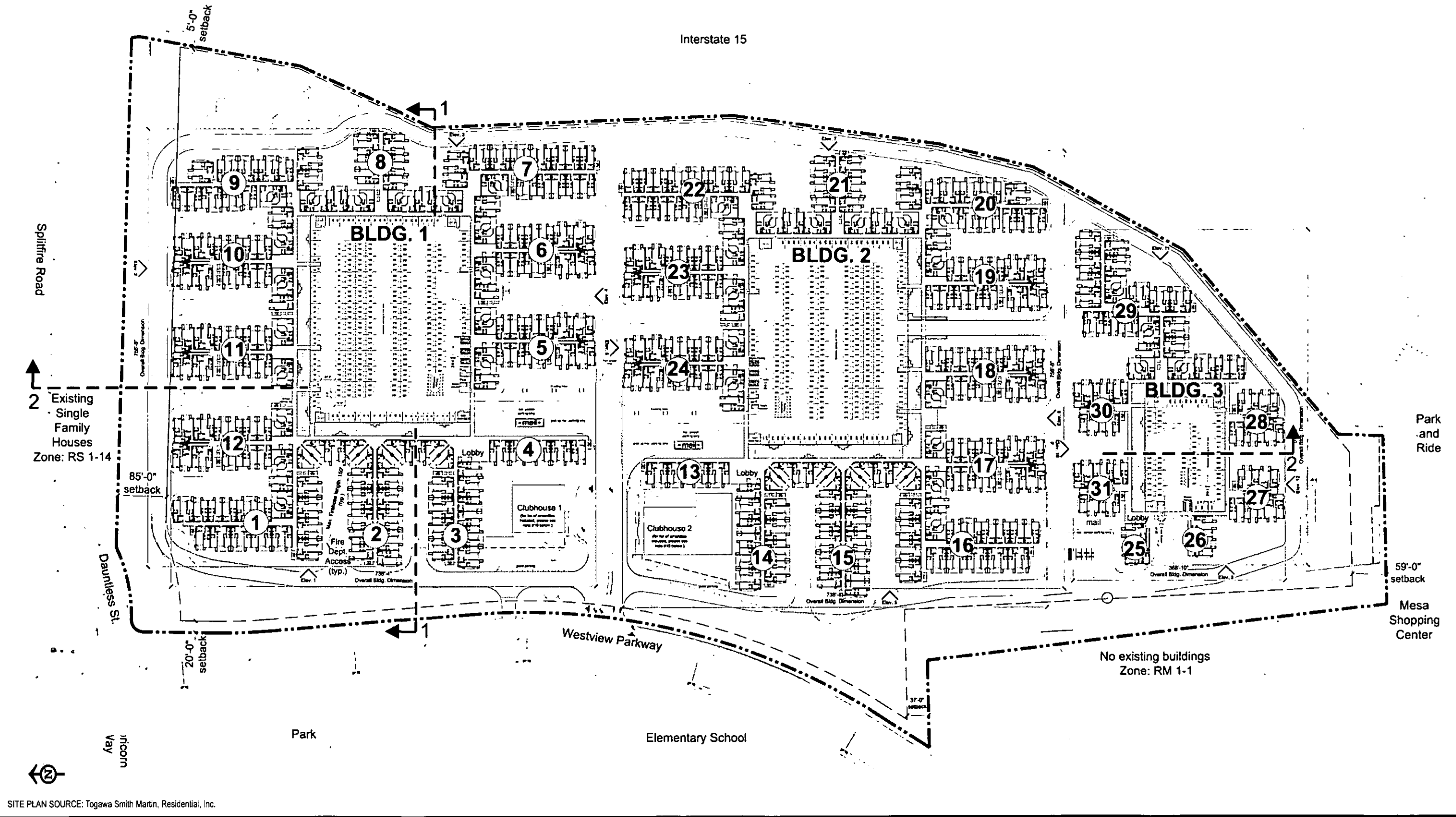
A total of 1,848 multifamily residential dwelling units are proposed within the three residential buildings. Each building would be five stories in height. The total area for the three residential buildings consists of approximately 3,015,560 sq ft. *Tables 3.2-2a, Building Unit Summary for Buildings 1 and 2* and *3.2-2b, Building Unit Summary for Building 3* provide a breakdown of the number of bedrooms per unit within each building. Buildings 1 and 2 would each provide 810 units; Building 3 would provide 228 units. The proposed 1,848 residential units would include a total of 718 one-bedroom units, 940 two-bedroom units, and 190 three-bedroom units. Each residential building would provide a mixture of floor plan types and sizes. The maximum building heights would be: 63 ft for Buildings 1 and 2; and 57 ft, 5 in for Building 3. Building elevations are shown in *Figures 3.2-2a through 3.2-2c, Building Elevations*. It should be noted that, in order to make the site more level, as much as 20 ft of fill would be required in some places. Using the City's definition of building height, the maximum height of the buildings would be 80 feet.

Z:\Projects\6685 - Casa Mira View EIR\Drawings\Fig.3.2-1 Site Plan.cdr

SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.

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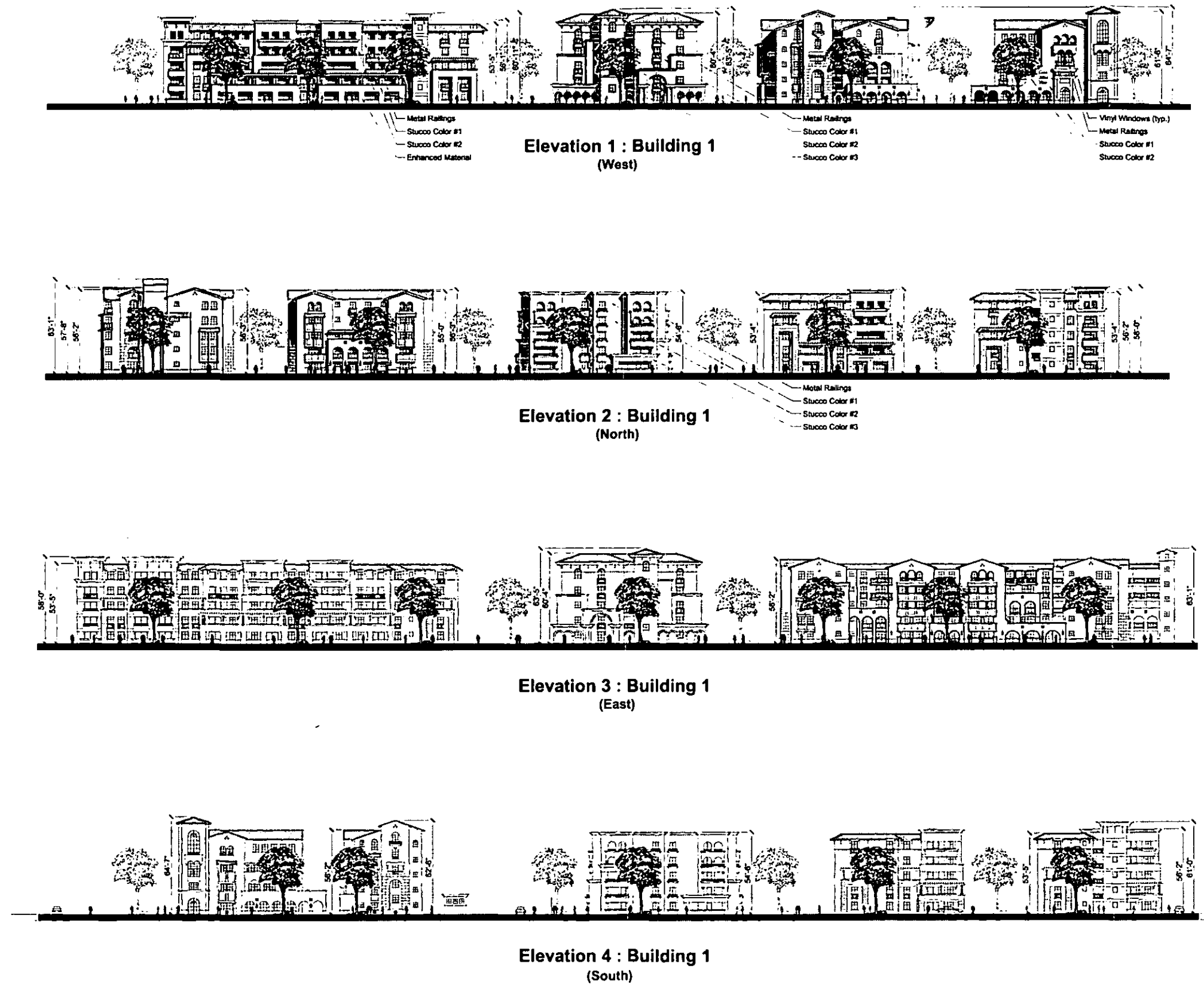
Casa Mira View EIR
Site Plan
FIGURE 3.2-1

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SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.

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Elevation 5 : Building 2
(West)



Elevation 6 : Building 2
(North)



Elevation 7 : Building 2
(East)



Elevation 8 : Building 2
(South)

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SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.

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Elevation 9 : Building 3
(West)



Elevation 10 : Building 3
(North)



Elevation 11 : Building 3
(East)



Elevation 12 : Building 3
(South)

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SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.

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TABLE 3.2-2a
Building Unit Summary for Buildings 1 and 2

Number of Bedrooms	Floor Plain Type	Area (sf)	1 st Floor	2 nd Floor	3 rd Floor	4 th Floor	5 th Floor	Total
1	1a	890	59	59	59	59	59	295
	1b	970	8	8	8	8	8	40
2	2a	1,300	55	55	55	55	55	275
	2b	1,300	13	13	13	13	13	65
	2c	1,530	10	10	10	10	10	50
3	3a	1,590	17	17	17	17	17	85
Total	N/A	N/A	162	162	162	162	162	810

Source: Architects Togawa Smith Martin 2007

TABLE 3.2-2b
Building Unit Summary for Building 3

Number of Bedrooms	Floor Plain Type	Area (sf)	1 st Floor	2 nd Floor	3 rd Floor	4 th Floor	5 th Floor	Total
1	1a	890	10	10	10	10	8	48
	1b	970	0	0	0	0	0	0
2	2a	1,300	12	12	12	12	12	60
	2b	1,300	10	10	10	10	10	50
	2c	1,530	10	10	10	10	10	50
3	3a	1,590	4	4	4	4	4	20
Total	N/A	N/A	46	46	46	46	44	228

Source: Architects Togawa Smith Martin 2007

Architectural Design

The three residential buildings are the dominant structures proposed on the project site. The color scheme of the buildings consists of earthen tones. A lighter color scheme is used on the first floor soffit areas than the exterior finish to brighten the walkway entrances.

Each residential unit would consist of one, two, or three bedrooms and would contain a balcony and/or patio area (dependent upon which level the residential unit is located). Other building features include enhanced material, metal railings, vinyl windows, and stucco color. While specific window types have not yet been determined, selected windows would possess less than 30 percent reflectance, as required by the City of San Diego's Municipal Code Section 142.0730.

A total of four architectural styles have been designed for the project: Modern Mediterranean, Modern Italian, Eclectic, and Spanish. These architectural styles would provide individual character for each building area. *Table 3.2-3 Architectural Units per Residential Building* provides a breakdown of the architectural styles within each building.

**TABLE 3.2-3
Architectural Units per Residential Building**

Architectural Design	Building 1	Building 2	Building 3	Total
Modern Mediterranean	290	150	79	519
Modern Italian	150	290	34	474
Eclectic	155	75	50	280
Spanish	215	295	65	575
Total	810	810	228	1,848

Source: Architects Togawa Smith Martin 2007

Affordable Housing

The project applicant has agreed to provide a total of 185 affordable housing units, including 140 units on site and an additional 45 units within the Legacy Apartments located at 9320 Hillery Drive within the Mira Mesa Community. Units would mimic the same mixture of one-, two-, and three-bedroom units as the market rate units and would be located throughout the development. The units would be restricted by an agreement for affordable housing acceptable to the City's Housing Commission. The units would be completed and ready for occupancy no later than the date the market rate housing is constructed, unless there is an acceptable agreement for alternative development schedule satisfactory to the Housing Commission.

3.2.2 PARKING

Each of the three residential buildings would “wrap” completely around a five-story abovegrade parking structure that would support the parking requirements for each respective residential building. The parking structures would not be connected to each other. Access to parking structures 1 and 2 would be provided from the main entrance to the project site between residential buildings 1 and 2. Access to parking structure 3 would be provided via the proposed private driveway for residential building 3. The three parking structures would amount to a total of 1,130,440 sq ft. There would be a total of 3,456 automobile parking spaces provided within the three parking structures. In addition, the parking structures would provide motorcycle and bicycle spaces for the residents. *Table 3.2-4, Parking Structure Summary* provides a breakdown in the type of parking spaces provided and quantity of spaces per parking structure.

TABLE 3.2-4
Parking Structure Summary

Parking Structure	Standard Automobile Spaces	Accessible Automobile Spaces	Motorcycle Spaces	Bicycle Spaces
1	1,475	30	82	380
2	1,475	30	82	380
3	437	9	23	112
<i>Total</i>	<i>3,387</i>	<i>69</i>	<i>187</i>	<i>872</i>

Source: Architects Togawa Smith Martin 2007.

In addition to the three parking structures, the project would provide surface parking spaces designated for mail, guests and loading purposes. *Table 3.2-5 Summary of Surface Parking Spaces*, provides a breakdown of the non-residential parking spaces provided within each building area.

TABLE 3.2-5
Summary of Surface Parking Spaces

Building Number	Type of Parking Space			
	Guest Parking	Mail Pick-up and Drop-off Parking	Mail Person Parking	Loading and/or Delivery Truck Parking
1	12	8	1	3
2	10	8	1	3
3	0	5	1	1
<i>Total</i>	<i>22</i>	<i>21</i>	<i>3</i>	<i>7</i>

Source: Architects Togawa Smith Martin 2007.

3.2.3 RECREATION

The supporting recreational uses would include the development of recreational club houses, recreational centers, swimming pools, cabanas, mini-parks, play areas, water park seating area, mini-park seating areas, outdoor living room areas, barbeque areas, courtyards, and pedestrian walkways/paseos dispersed throughout the three residential areas (refer to *Figure 3.2-1, Site Plan*). The club houses would include the following amenities: corner resident-serving only convenience store, lobby, leasing offices, staff offices, community room, conference room, private theater, aerobics room, racquetball court, and changing rooms.

Other outdoor recreational areas would include lap pools, tennis courts, basketball courts, and a bicycle lane along the perimeter of the site. The total area that would be provided as common

space is 853,697 sq ft. *Figure 3.2-3, Recreational Amenities*, depicts drawings of typical recreational facilities that would be located at the project site.

3.2.4 CIRCULATION

Access to the project site would be provided from three separate driveways along Westview Parkway. Two of the three driveways would be provided for private access; the third driveway would be restricted to emergency vehicle access only. Within the project site, private vehicular access would be provided from the private driveways directly to the parking structures and other parking features associated with each building area (refer to *Figure 3.2-1, Site Plan*). The three separate driveways are discussed in detail below.

A new signalized driveway would be constructed at the northerly access point as the first and main point of entrance; and would provide access to buildings 1 and 2. This access point would be situated opposite a new, relocated driveway to the parking lot for Westview Park.

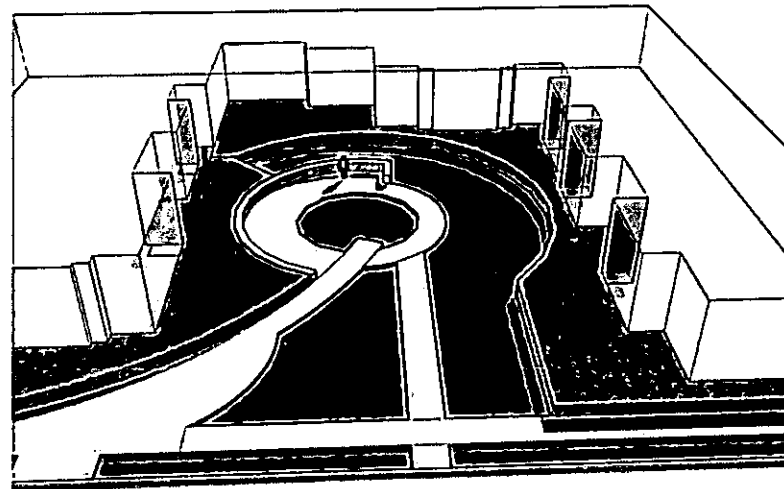
The second access point would be provided by extending the intersection of Westview Parkway and Galvin Avenue easterly, as a private driveway. This driveway/access point would be required when Building 3 is constructed. The existing traffic signal at this intersection would be modified to a full four-way signal concurrent with this extension.

The emergency only access point would be located just north of the main access point along Westview Parkway. With the exception of the guest parking areas, located adjacent to the project access points, the perimeter of the project site would be restricted to emergency vehicle, pedestrian, and bicycle access only.

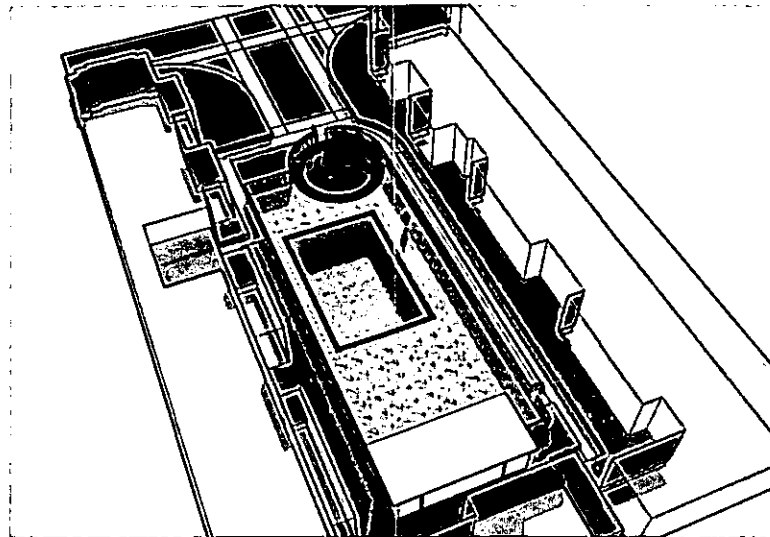
Pedestrian paseos have been incorporated throughout the project site to promote walkability within the residential complex (*Figure 3.2-4, Pedestrian Paseo Plan*). In addition, several mini-parks, seating areas, playing areas, tennis and basketball court areas, and pools are located throughout each building area to promote walkability and bicycle usage.

Other circulation features proposed within each building area include shuttle pickup areas to encourage the use of mass transportation and provide an alternative means of transportation to nearby shopping facilities and other points of interest for residents of the project. The shuttle service would pick up and drop off residents at their respective residential building areas (refer to *Figure 3.2-1, Site Plan*).

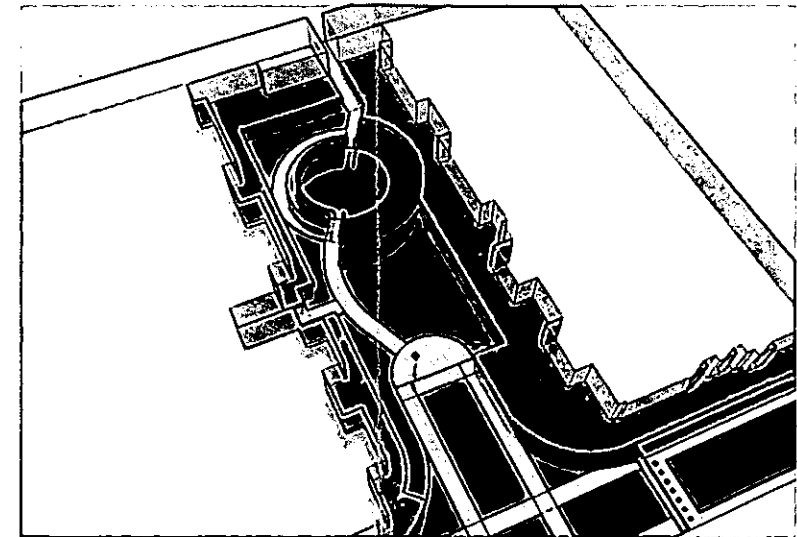
As part of the project, the applicant would contribute a fair share in the amount of \$75,268 for improvements for the completion of construction of the Carroll Canyon Road/Black Mountain Road intersection. The City could use the fair share contribution for design, right-of-way acquisition, and/or construction of the intersection, to be determined by the City.



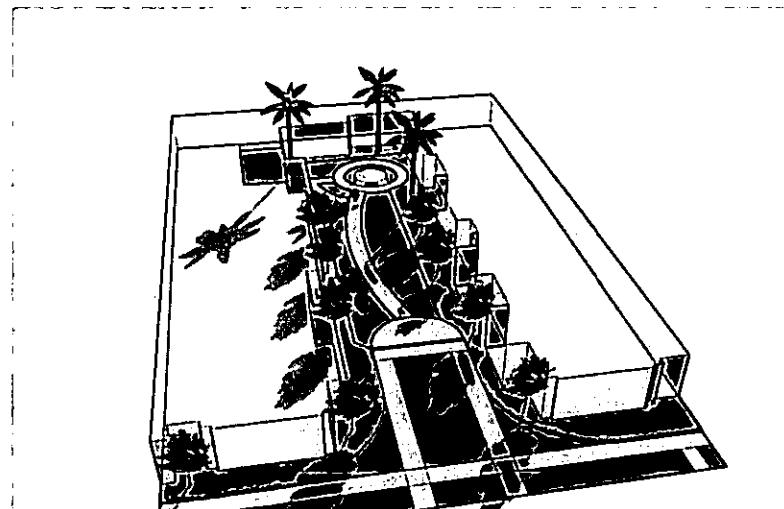
Mini park View 1



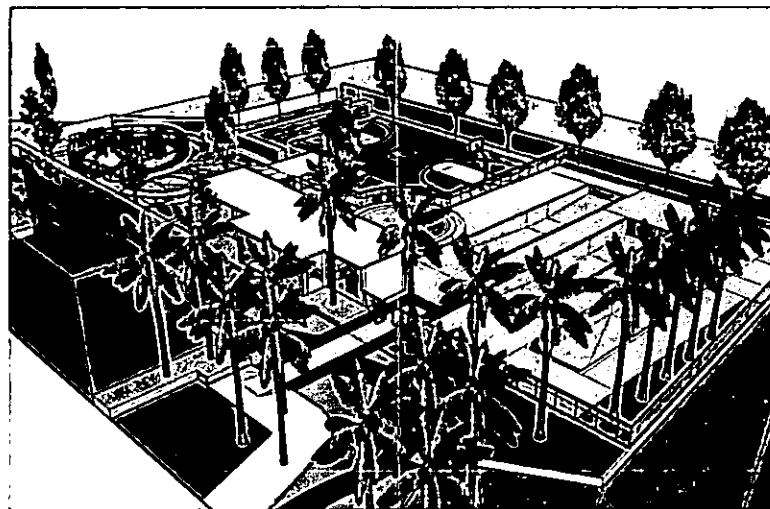
Pool Area View 2



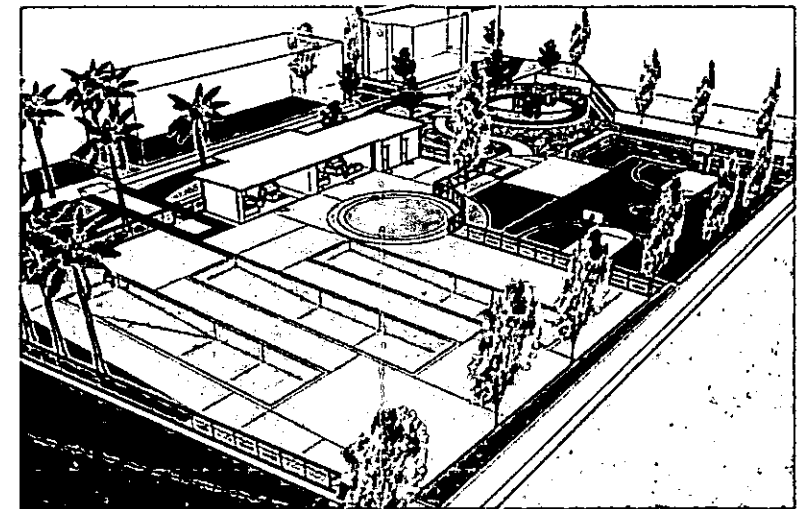
Play Area View 3



Mini Park View 4



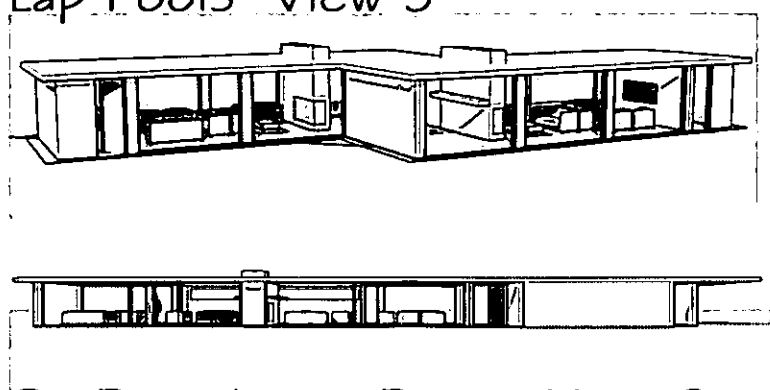
Lap Pools View 5



Lap Pools View 6



Outdoor Living Room View 7



Outdoor Living Room View 8

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SOURCE: Roy Kato Landscape Architect

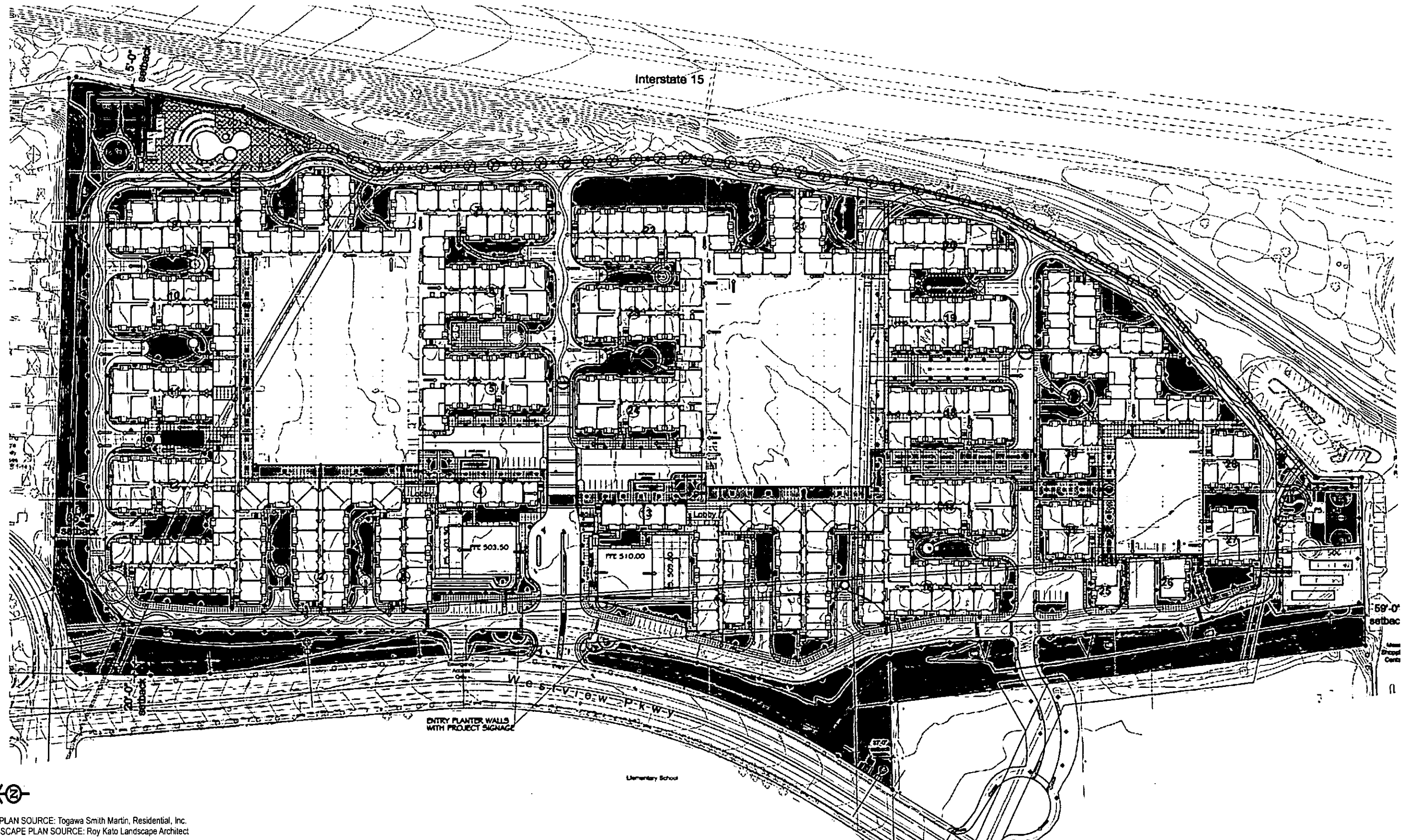
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SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.
LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

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Casa Mira View EIR
Pedestrian Paseo Plan

FIGURE
3.2-4

3.2.5 GRADING

The site ranges in elevation from approximately 480 ft to 505 ft AMSL. This relatively flat site has been previously graded and filled, resulting in approximately 2:1 slopes along its western and northwestern portions. Additional grading would be required to accommodate the development. Approximately 334,000 cubic yards of material would be imported to level the site at approximately 500 to 505 feet AMSL. No export material is anticipated. Approximately 1,522 cubic yards of fill material is estimated to be graded per day. Mass grading activities are anticipated to commence in late 2008 and last for one year. The location of the import material has not been determined at this time, but will likely be from a vicinity construction site with the need to export material.

3.2.6 LANDSCAPING

The landscape plan is shown in *Figure 3.2-5a, Landscape Plan* and the legend and notes to the plan are provided as *Figure 3.2-5b, Landscape Plan Legend and Notes*. The landscape plan is intended to complement and enhance the architecture of the site while providing aesthetically pleasing and usable landscape spaces. The landscape plan includes a combination of trees, shrubs, and ground cover designed to provide passive and active recreation for its residents and encourage social interaction along active streetscapes, pools, play areas, and mini-parks. *Figures 3.2-6a and 3.2-6c, Landscape Elevations* depict typical cross sections of the landscape and building areas.

The plant palette includes shade trees such as Carolina Cherry (*Prunus carolina*), slope trees such as Coast Live Oak (*Quercus Agrifolia*), and Coral Tree (*Owners Boxed Erythrina caffra*). The streetscape design along Westview Parkway includes London Planes (*Plantanus acerifolia*), Coral Trees, Kangaroo Paws (*Anigozanthus flavidus*), Daylilies (*Hemerocallis "Evergreen Orange"*), and Hall's Honeysuckle (*Lonicera halliana*). The Landscape Development Plan has been designed to exceed the requirements set forth in the City's Land Development Code Landscape Regulations and the Land Development Manual, Landscape Standards.

3.2.7 OTHER PROJECT FEATURES

Pedestrian Paseos

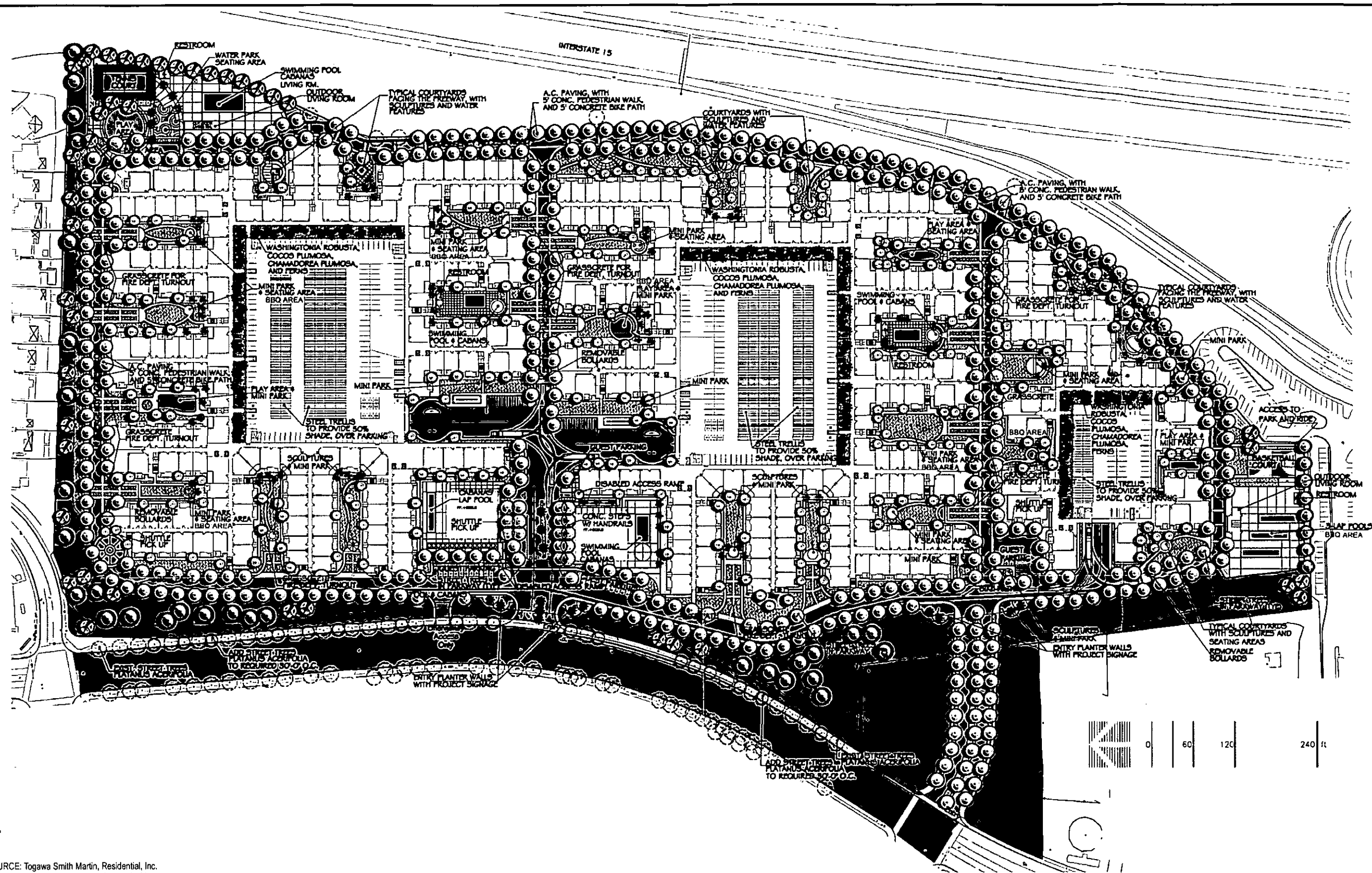
A pedestrian paseo plan has been incorporated into the project design to promote walkability within the residential complex (refer to *Figure 3.2-4, Pedestrian Paseo Plan*). The landscape plan identifies Queen Palms (*Cocos Plumosa*) and Mexican Fan Palms (*Washington Robusta*) as the typical trees to be planted along the pedestrian paseos.

Z:\Projects\15685 - Casa Mira View EIR\cores\Fig3.2-3 Landscape1.cdr

SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.
LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

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Casa Mira View EIR
Landscape Plan

FIGURE
3.2-5a

Z:\Projects\6685 - Casa Mira View EIR\corel\Fig3.2-5b Landscape2.cdr

TREE LEGEND

SYMBOL	NAME	EVER GREEN	DECI DUOUS	QUANTITY	CONTAINER SIZE	MATURE HEIGHT & SPREAD	FORM	FUNCTION
	EX STREET TREE - PLATANUS ACERIFOLIA, LONDON PLANE TREE, 2" CALIPER. NO GROUND COVER EXISTS IN THE PARKWAY.		•				LARGE ROUND	SHADE
	PLATANUS ACERIFOLIA, LONDON PLANE, 2" CALIPER, PLANTED TO MEET CITY STANDARDS OF 30' O.C.		•	17	24" BOX		LARGE ROUND	SHADE
	PHOENIX DACTYLIFERA - DATE PALM	•		22	B & B	75'x10'	PALM	SCALE
	COCOS PLUMOSA - QUEEN PALM	•		458	B & B	40'x15'	PALM	PASEO & STREET
	WASHINGTONIA ROBUSTA - MEXICAN FAN PALM	•		23	B & B	100'x28'	PALM	PASEO
	PROJECT TREES			25	24" BOX			
	CASSIA LEPTOPHYLLA - GOLD MEDALLION		•			25'x25'	ROUND	SHADE
	PRUNUS CAROLINIANA - CAROLINA CHERRY	•				35'x35'	ROUND	SHADE
	PLATANUS RACEMOSA - CALIFORNIA SYCAMORE		•			75'x40'	SPREADING	SHADE
	PODOCARPUS GRACILIOR - JAPANESE YEW	•				60'x40'	ROUND	SHADE
	PROJECT STREET TREES	•		232	24" BOX			
	PRUNUS CAROLINIANA - CAROLINA CHERRY	•				35'x35'	ROUND	SHADE
	KOELREUTARIA PANICULATA - GOLDENRAIN		•			35'x35'	ROUND	SHADE
	PYRUS CALLERYANA - BRADFORD PEAR		•			35'x35'	ROUND	SHADE

- All trees within Hardscape areas, including Trees Shown in tree grates, shall have minimum growing area of 40' Sf. per tree.
Minimum Tree Separation Distance:
Improvement/ Minimum Distance To Street Tree
Traffic signals (stop sign) - 20 feet
Underground utility lines - 5 feet (10' for sewer)
Above ground utility structures - 10 feet
Driveway (entries) - 10 feet
Intersections (intersecting curb lines of two streets) - 25 feet

SHRUB LEGEND

SYMBOL	NAME	EVERGREEN	HEIGHT & SPREAD	FORM & FUNCTION
	AGAPANTHUS AFRICANUS - LILY OF NILE	•	1' x 1'	COLOR
	ANIGOZANTHUS FLAVIUS	•	4' x 4'	COLOR
	BEGONIA RICHMONDENSIS - BEGONIA	•	2' x 2'	COLOR
	CAMELLIA JAPONICA - CAMELLIA	•	6' x 6'	SHRUB
	CAMELLIA SASANKUA - CAMELLIA	•	5' x 5'	SHRUB
	ESCALLONIA SPECIES - ESCALLONIA	•	6' x 5'	SHRUB
	LIRIOPE MUSCARI - LILY TURF	•	1' x 1'	LOW SHRUB
	HEMEROCALLIS SPECIES - DAY LILY	•	2' x 2'	COLOR
	LIGUSTRUM TEXANUM - TEXAS PRIVET	•	6' x 4'	SCREEN
	ILEX SPECIES - HOLLY	•	6' x 4'	SHRUB
	NANDINA DOMESTICA - HEAVENLY BAMBOO	•	6' x 3'	ACCENT
	NANDINA NANA PURPUREA - HEAVENLY BAMBOO	•	2' x 2'	LOW SHRUB
	PELAROGONIUM PELTATUM - IVY GERANIUM	•	1' x 1'	COLOR
	PHILODENDRON - PHILODENDRON	•	4' x 4'	ACCENT
	PHOENIX ROEBELINI	•	6' x 4'	ACCENT
	PHOTINIA FRASERI - PHOTINIA	•	6' x 6'	SCREEN
	PITTOSPORUM SPECIES - MOCK ORANGE	•	6' x 6'	SHRUB
	PODOCARPUS HENKELII - JAPANESE YEW	•	12' x 5'	SCREEN
	RAPHIOLEPIS INDICA - INDIAN HAWTHORN	•	5' x 5'	SHRUB

LAWN AREA TALL FESCUE SOD LAWN
 STRUCTURAL GRASS CRETE PAVERS WITH SOD LAWN

SLOPE PLANTING LEGEND

SYMBOL	NAME	EVER GREEN	DECI DUOUS	QUANTITY	CONTAINER SIZE	MATURE HEIGHT & SPREAD	FORM	FUNCTION
	SLOPE TREES							
	QUERCUS AGRIFOLIA-COAST LIVEOAK	•		22	15 GAL.	50'x50'	ROUND	SHADE
	OWNER'S BOXED ERYTHRINA CAFFRA-CORAL TREE	•		12	5' BOX	40'x40'	ROUND	SHADE
	SLOPE SHRUBS							
	ANIGOZANTHUS FLAVIUS - KANGAROO PAW	•		461	5 GAL.	3'x3'	FLAX SHAPE	ACCENT
	HEMEROCALLIS 'EVERGREEN ORANGE'-DAYLILY	•		1042	1 GAL.	2'x2'	GRASS	COLOR
	HETEROMELES ARBUTIFOLIA-CALIF. HOLLY	•		42	5 GAL.	15'x15'	SPREADING	TALL SHRUB
	LIGUSTRUM TEXANUM -TEXAS PRIVET	•		943	5 GAL.	3'x3'	HEDGE	HEDGE
	LOROPETALUM 'RUBRUM' - LOROPETALUM	•		99	5 GAL.	3'x8'	SPREADING	TALL SHRUB
	RAPHIOLEPIS 'MAJESTIC BEAUTY'-INDIAN HAWTHORN	•		90	5 GAL.	10'x10'	ROUND	TALL SHRUB
	RHAMNUS CALIFORNICA-COFFEEBERRY	•		143	5 GAL.	15'x15'	ROUND	HILLSIDE
	LONICERA HALLIANA - HALL'S HONEYSUCKLE	•			FLATS AT 18" O.C.		SPREADING	EROSION CONTROL

LANDSCAPE PLAN NOTES:

- 11.1.1: Site Development Features: There are no existing shrubs or trees on-site to retained as part of the final landscape development.
- 11.1.2: Street trees: Existing street trees are shown diagrammatic only on the landscape plan. All utilities, including gas, water, sewer, electric and telephone, will be planned to not be in conflict with any additional street tree placement.
- 11.1.3: Legend:
A. Symbols for all proposed trees are shown delineated on the plans. Refer to the planting legend for preliminary tree planting palettes. The planting list is preliminary and subject to change.
B. Changes to the plant legends are subject to review and approval by City of San Diego Landscape Review. Shrub spacing will be provided at a later date.
C. Plant material will be provided at the following percentages:
Trees:
85% at a size of 24" box or smaller (minimum tree size will be 15 gallon)
5% at a size of 36" box or larger
100% of Street trees shall be 24" box.
Shrubs:
20% at a size of 1 gallon or similar
75% at a size of 5 gallon
5% at a size of 15 gallon
Ground Covers:
100% flat size, at 18" o.c. or Hydroseed
11.1.4: All required planting areas shall be covered with mulch to minimum depth of 2 inches excluding slopes requiring revegetation and areas planted with groundcover. All exposed soil areas without vegetation shall also be mulched to this minimum depth (LDC 142.0413(B))
11.1.5: All landscape and irrigation shall conform to standards of the City-Wide landscape Regulations and City of San Diego Land Development Manual Landscape Standards and all other landscape related City and Regional Standards.

LANDSCAPE DESIGN STATEMENT

The landscape design is intended to both compliment and enhance the architecture of site while providing an esthetically pleasing and usable landscape spaces. The design creates a community that provides both passive and active recreation for its residents and encourages social interaction along active streetscapes, pool and play areas, and miniparks, all of which are on site.

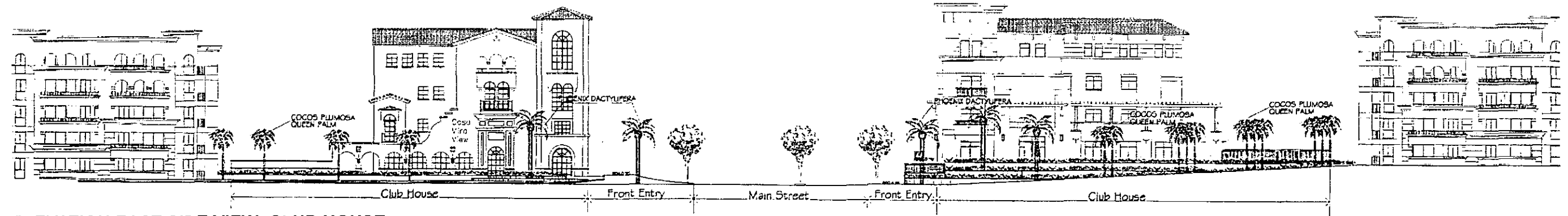
LANDSCAPE CALCULATIONS REFER TO SHEET L.9

SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.
LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

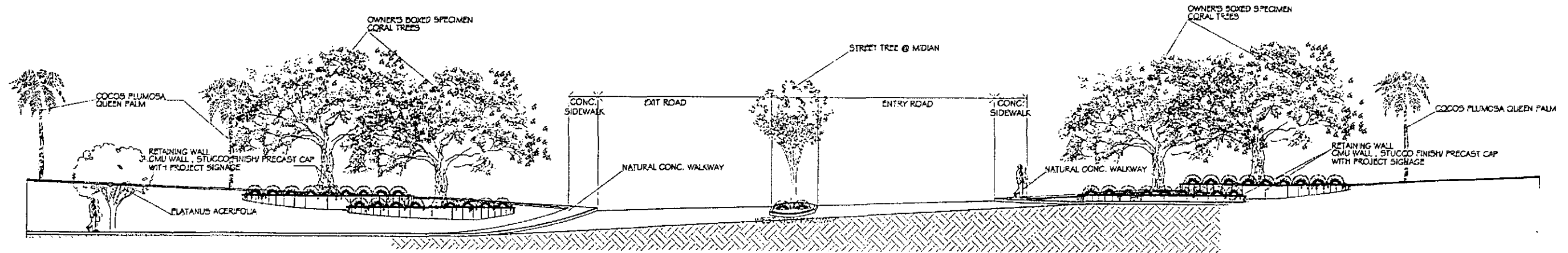
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Casa Mira View EIR
Landscape Plan Legend and Notes
FIGURE 3.2-5b

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ELEVATION EAST SIDE VIEW: CLUB HOUSE



ELEVATION EAST SIDE VIEW: WESTVIEW PARKWAY

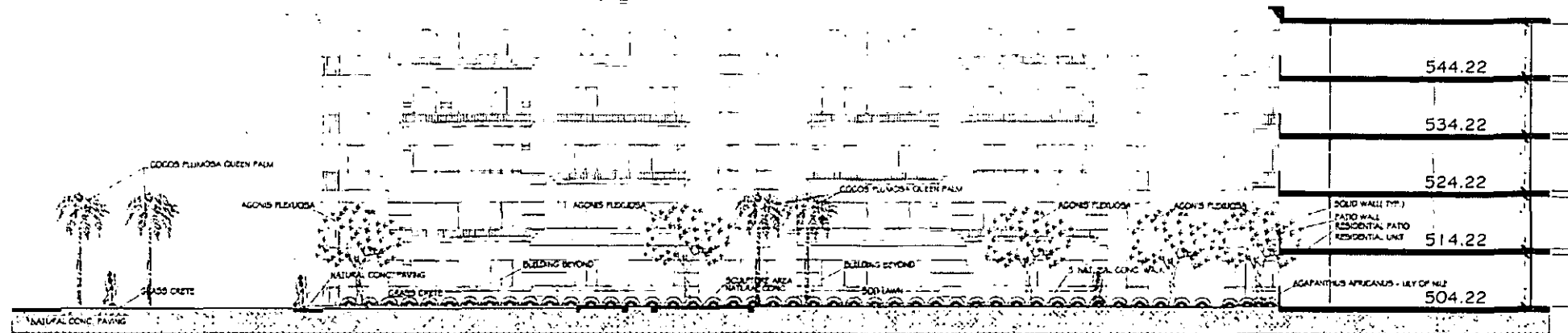
LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

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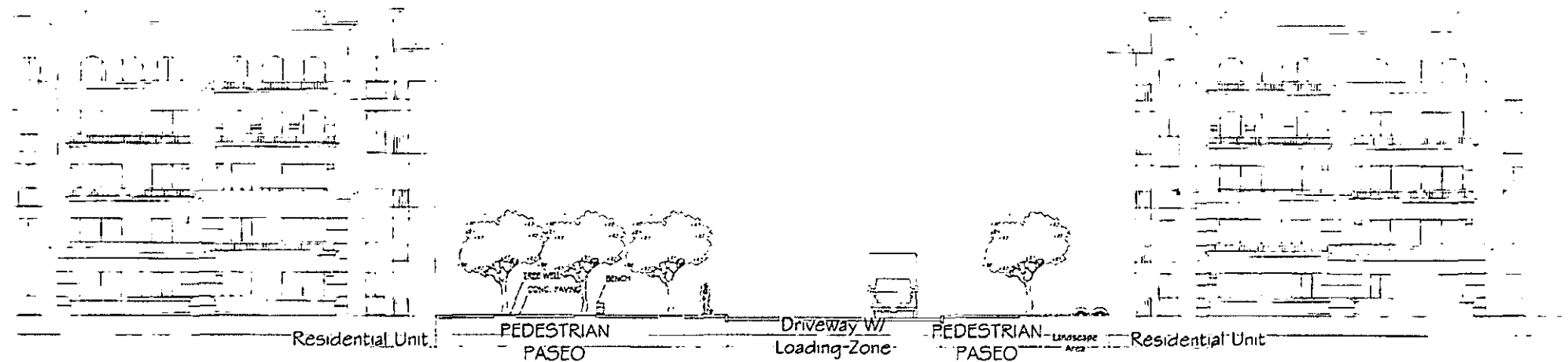
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Casa Mira View EIR
Landscape Elevations

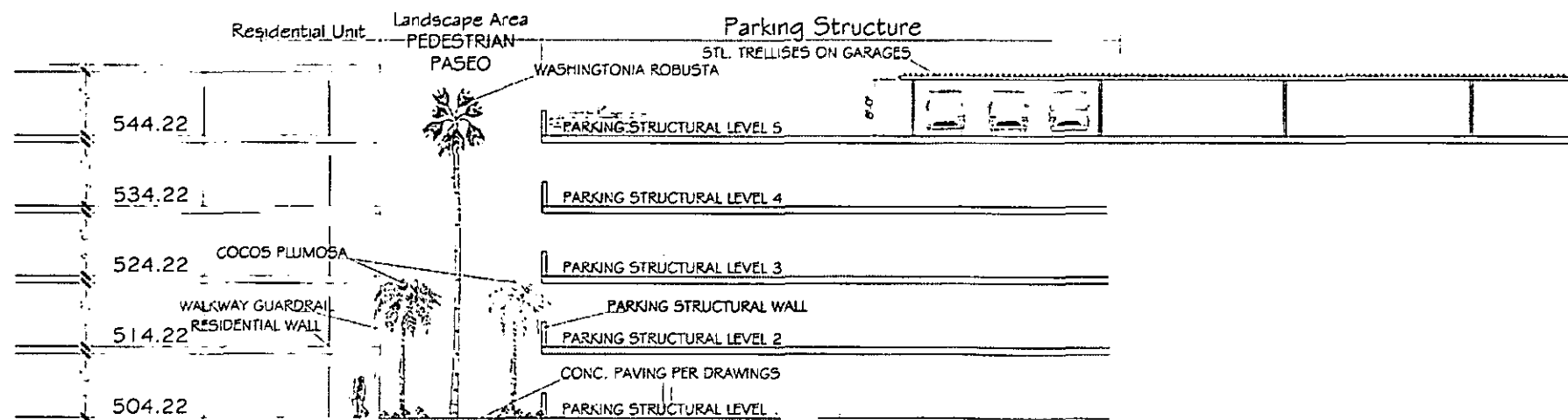
FIGURE
3.2-6a



SECTION NORTH SIDE VIEW: COURTYARD



SECTION: LOADING AREA



SECTION: PEDESTRIAN PASEO

LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

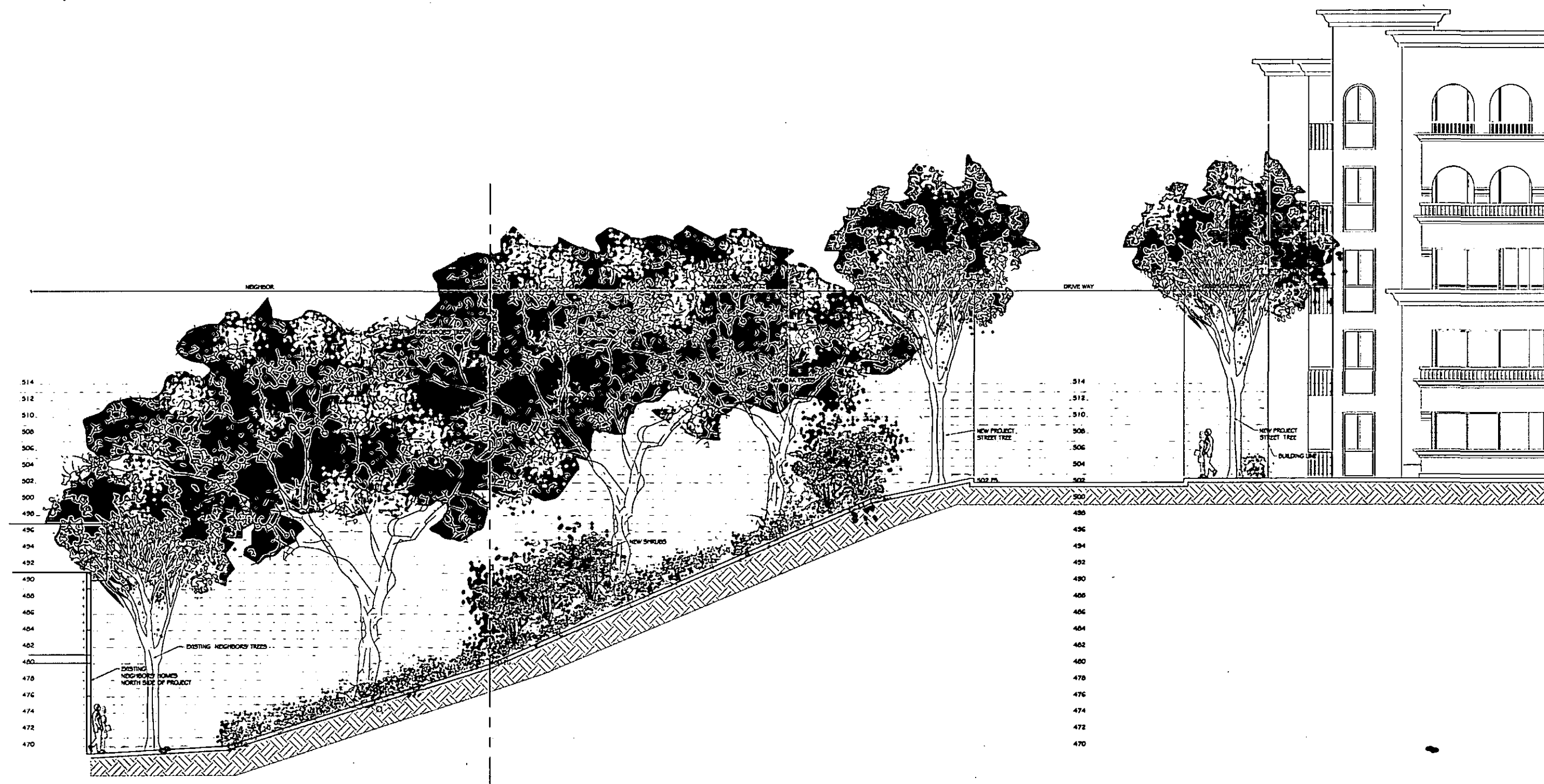
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Casa Mira View EIR
Landscape Sections

FIGURE
3.2-6b

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CROSS SECTION OF NORTH SIDE LANDSCAPING

SOURCE: Roy Kato Landscape Architect

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000149

Casa Mira View EIR
Landscape Sections

FIGURE
3.2-6c

Carports

On the top level of each parking structure, carports would be provided over the parking areas. The carports would be approximately 8 feet high, and constructed of light-gauge corrugated metal to provide shading and to meet the shading requirements of the City. The carports would be color coated to blend architecturally with the parking structure.

Mini-parks

Mini-parks would be constructed throughout each residential area totaling approximately 4.35 acres, located mainly in between the residential units. The mini-parks would typically be landscaped with lawn and Queen Palm. Some of the mini-parks would also include Coral Trees.

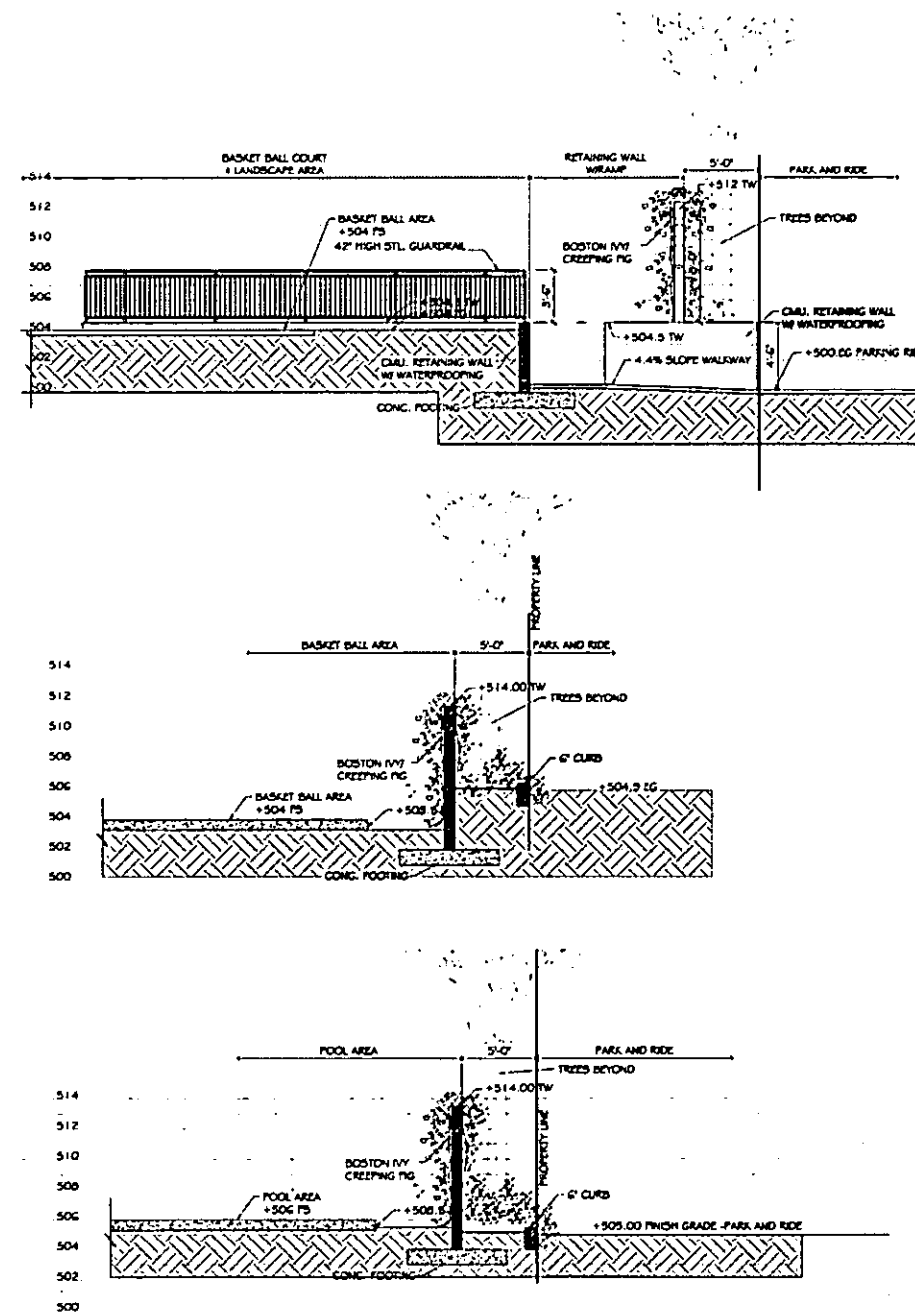
Walls

Five retaining walls would be constructed along the outer eastern perimeter of the of the project site. The retaining walls located from north to south would consist of the following lengths: 70 feet, 171 feet; 219 feet; 1,109 feet; and 252 feet; with a combined length of 1,821 feet. In addition, a noise wall is proposed along the northeastern recreational area and would consist of an 8-foot-tall, 419-foot-long concrete sound wall. This noise wall would be constructed just outside the 5-foot rear yard set back area between the northern recreational area improvements and the property line adjacent to the freeway. Boston Ivy (*Parthenocissus tricuspidata*), a clinging woody vine, and creeping fig (*Ficus repens*) would be planted on the concrete sound wall. In addition, trees such as Carolina cherry, Goldenrain (*Koelreuteria paniculata*) and/or Bradford pear (*Pyrus calleryana*) would be planted along the noise wall. The location and cross sections of the sound wall and retaining walls are depicted on *Figure 3.2-7, Construction Landscape Plan*. Further discussion of the noise wall is provided in *Section 4.5 Noise*. In addition to noise walls the applicant would be required to provide an exterior to interior noise analysis during the ministerial building permit stage in conformance with the California Building Code, Title 24, Section 1207 to ensure that interior noise levels are at or below the 45 d(B) threshold.

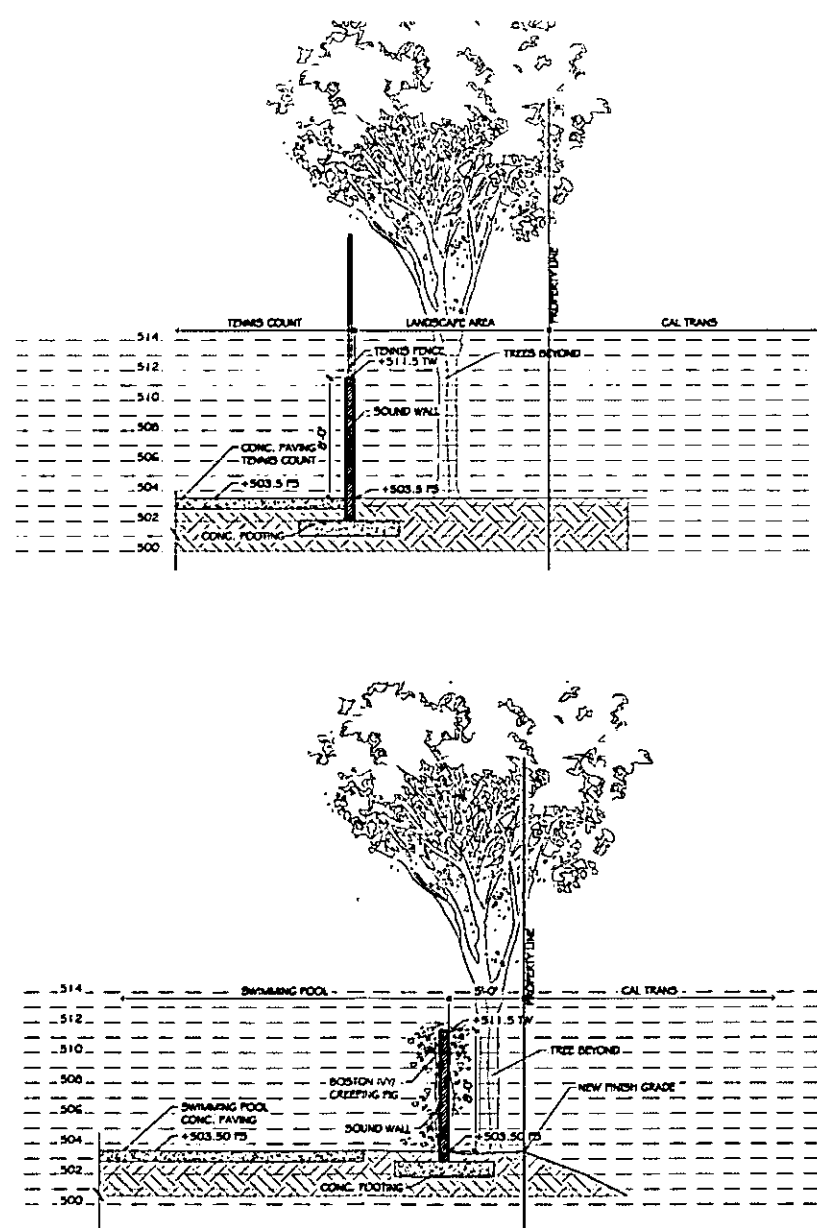
Lighting

Lighting would be provided throughout the project site on the exterior of structures. Specifically, lighting would be provided around the residential buildings, pedestrian paseos, and other recreational areas. Lights would be shielded and would consist of full cutoff optics. Along the northern boundary of the project, lighting would be located at least 100 ft from the residential uses to the north.

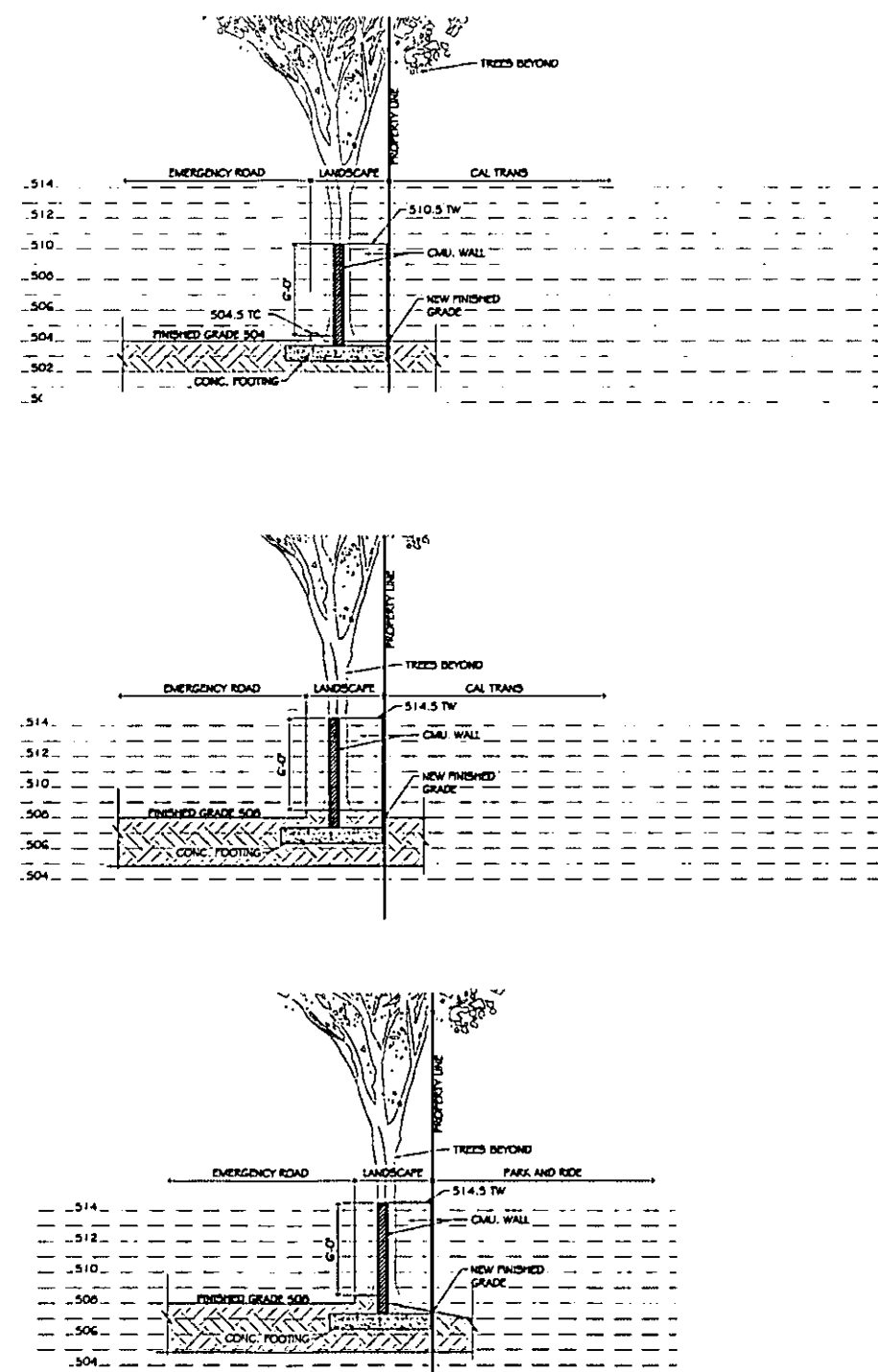
Southern Site Boundary Retaining Wall Sections



North Pool Sound Wall Sections



Eastern Site Boundary Retaining Wall Sections



SITE PLAN SOURCE: Togawa Smith Martin, Residential, Inc.
LANDSCAPE PLAN SOURCE: Roy Kato Landscape Architect

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Utilities

The development would require vacation of the existing unused public utilities and antenna easements as well as several unutilized public sewer and water facilities on site. The construction of new privately maintained sewer, water, and drainage improvements would be provided to support the project.

A looping private water system would be provided around the perimeter of the project site for both domestic water and fire services. The potable water system would be provided with two points of connection along the southern and western portions of the project site. In addition, two points of contact for landscaping water, utilizing reclaimed water that currently exists and is available in Westview Parkway, would be provided to service the landscaping needs of the project.

Two private sewer mains would be provided for sewer service to all units. One main would service the southern half of the project and the other the northern half. The southern sewer section would connect to an existing 10 inch sewer main extended north from within Mira Mesa Boulevard. The northern sewer section would connect to an existing 8 inch sewer main within Westview Parkway.

A private storm drain system would be incorporated into the project design. The existing on-site storm drains would be realigned to underlie the building structures. In addition, new storm drains would be installed throughout the residential building areas, mini-parks, and other recreational areas, and around the perimeter of the project site (within the emergency vehicle roadway). The storm drain system would connect to existing public 54-inch and 72-inch storm drains that discharge storm water runoff to Penasquitos Canyon and Lopez Canyon, located westerly and northwesterly of the project site.

Electrical and natural gas lines currently exist along Westview Parkway. The project would construct underground electrical and natural gas lines to connect to these existing underground utilities. Electricity would be provided for energy needs associated with the residential buildings, and natural gas would be provided for the supporting amenities.

Public Safety

The City of San Diego Police Department's (SDPD) current budgeted staffing ratio for police officers to population is 1.59 per 1,000 residents. The SDPD's goal is to have 1.67 officers per 1,000 residents. Prior to the issuance of building permits, the applicant would pay a one-time project fee to the SDPD in the amount of \$112,000 to accommodate for existing police services needs.

3.2.8 OFF-SITE IMPROVEMENTS

The applicant has agreed to provide off-site road improvements. The following off-site road improvements have been made conditions of project approval by the City:

- Prior to issuance of a building permit for the first residential building unit, the applicant would assure, to the satisfaction of the City Engineer, construction of a traffic signal at the intersection of Westview Parkway and the project's main access, relocation of the park driveway to be located at the signalized location, restriping of Westview Parkway to accommodate the signal, and a signal interconnect between the existing signals on Westview Parkway at Galvin Avenue, Westview Parkway at Capricorn Way and the new signalized project access on Westview Parkway.
- Prior to the issuance of a building permit for the third building (1,621st dwelling unit) the applicant would provide, to the satisfaction of the City Engineer, an improvement for a connection to the existing public road and signal at Galvin Avenue and Westview Parkway to provide a second signalized access to the project site.

In addition, off-site traffic improvements associated with the existing surrounding roadway infrastructure would be provided as part of traffic mitigation measures. These traffic mitigation measures would provide improvements to the following intersections: Black Mountain Road/Mercy Road; Mira Mesa Boulevard/Black Mountain Road; Black Mountain Road/Hillary Drive; and Black Mountain Road/Gold Coast. Traffic mitigation measures would also provide improvements to the following street segments: Black Mountain Road between Mercy Road and Park Village; and I-15 southbound ramps from Mira Mesa Boulevard. A detailed discussion of these off-site traffic improvements are discussed in *Section 4.2*.

3.2.9 TRANSPORTATION DEMAND MANAGEMENT MEASURES

Transportation Demand Management (TDM) is a general term for strategies that assist in reducing the use of single-occupant vehicles to increase the efficiency of existing transportation resources. The project would include several TDM measures to improve the efficiency and safety of the transportation system and help reduce vehicle emissions that degrade air quality and contribute to global climate change. The TDMs implemented into the project would include the following measures:

- Provide transit shuttle services to regional activity centers - Prior to issuance of a building permit for the second building (811th residential dwelling unit), the applicant would provide a private shuttle service as part of the Transportation Demand Management Plan connecting the project to existing shopping opportunities at Mira Mesa Marketplace

Center and transit connections on Mira Mesa Boulevard and Black Mountain Road subject to the satisfaction of the City Engineer. This shuttle service would have two stops on the project site and would be limited to residents and guests of the development. The shuttle would carry no fewer than 16 passengers and conform to the requirements of the American with Disabilities Act (ADA accessible). The shuttle would maintain 15-minute headways in weekday peak hours. Days, hours of operation, and routing are to be satisfactory to the City Engineer.

- Provide RideLink information bulletin boards in central locations, encouraging alternative transportation programs and/or public transit available to the area
- Provide a TDM association and/or coordinator to ensure that the latest bus schedules have been posted and to provide information on carpooling and ridesharing
- Coordinate with Metropolitan Transit System to provide a bus stop adjacent to the project site
- Send an annual Rideshare/transit newsletter to residents
- Bicycle storage facilities for the residents.

3.2.10 CONSTRUCTION

Construction is anticipated to commence in early 2009 and last for five years, at which point building occupancy would occur. Construction equipment would include rollers, rubber tired dozers, scrapers, water trucks, pavers, paving equipment, cranes, forklifts, and tractors/loaders/backhoes. Concrete and delivery trucks would also be used. Construction equipment would be used intermittently depending on construction phase.

The project would occur in three phases. Each phase would result in the development of a parking structure and its associated building structure. Building 1 would be the first phase of the project with buildings 2 and 3 occurring sequentially. Construction phases 1 and 2 would extend approximately two years each; construction phase 3 would extend for approximately one year. The project would result in approximately 34,000 cubic yards of cut; 368,000 cubic yards of fill; and 334,000 cubic yards of import. The project would not result in the need to export soil or materials. Construction trucks would operate within the limits of the construction hours identified in the City's Noise Ordinance (i.e., 7:00 a.m. to 7:00 p.m. Monday through Saturday).

Prior to construction, a SWPPP would be prepared to identify BMPs to minimize off-site sediment transport and address hazardous materials management for the duration of the project. In addition, the grading plans would be subject to City approval, and would require measures to comply with the City's municipal storm water permit. BMPs required to comply with the City's

permit include, but are not limited to: sediment basins to temporarily retain runoff during construction; tracking controls to minimize mud tracked onto roadways; perimeter sediment control consisting of silt fence and/or straw wattles; and temporary stabilization measures such as hydromulch and rock aprons. The City's Municipal code requires project compliance with NPDES for storm water discharges and general construction activities; regular cleaning or sweeping of parking lots and impervious areas; and implementation of storm water BMPs. The project would implement erosion and sediment control measures required by the City Ordinance, and regulations and conditions set forth in the SWPPP (Leppert 2007a). A traffic control plan would be prepared and made a standard condition of approval. The plan would include provisions for construction times and control plans for allowance of bicyclists, pedestrians, and bus access along Westview Parkway throughout construction. This plan would also include provisions for allowance of emergency vehicle passage at all times.

The project would also include design features in accordance with the City's Grading Ordinance to control fugitive dust emissions during construction activities. These features would include:

- Watering all active construction areas at least twice daily
- Covering all haul trucks or maintain at least two feet of freeboard
- Paving or applying water four times daily to all unpaved parking or staging areas
- Sweeping or washing any site access points within 30 minutes of any visible dust deposition on any public roadway
- Covering or watering twice daily any on-site stockpiles of debris, dirt or other dusty material
- Suspending all operations on any unpaved surface if winds exceed 25 mph
- Hydroseeding or otherwise stabilizing any cleared area which is to remain inactive for more than 96 hours after clearing.

3.3 DISCRETIONARY ACTIONS

The City would use the EIR and supporting documentation in its decision to approve discretionary permits, including a VTM, an SDP, a PDP, a rezone, and several easement vacations. A VTM is required to create the 1,848 condominium units and project phasing lots. Several unused public water and sewer lines and associated easements transverse the project site. Therefore, implementation of the project would require vacating these associated easements that would not be used by the project. An SDP is required because the project is proposing more than 19 multifamily residential units and because the project's off-site traffic improvements would be located within 100 feet of sensitive biological resources which are within and adjacent to the

MHPA of the MSCP Subarea. A PDP would be required to address the deviations proposed by the project. A rezone is needed to make the density of the project consistent with the land use designation of the Mira Mesa Community Plan and the previously approved development agreement.

The RWQCB would use the EIR and supporting documentation in its decision to issue water quality permits in accordance with the Porter-Cologne Water Quality Control Act. Permits include an NPDES General Construction Activity Storm Water Permit, a Clean Water Act 401 Water Quality Certification, or both.

Caltrans would use the EIR and supporting documentation in its decision to issue an encroachment permit for work along I-15.

3.4 HISTORY OF PROJECT CHANGES

A key feature of the Casa Mira View project is that it would fund the Mira Mesa Facilities Benefit Assessment (FBA), which is the mechanism to fund the improvements discussed in the Mira Mesa Public Facilities Financing Plan and Facilities Assessment. The Financing Plan implements the improvement requirements set forth in the Mira Mesa Community Plan. Over half (57-percent) of the remaining multifamily residential units, which remain unbuilt according to the Financing Plan, are located in the Casa Mira View development project.

Additionally, as part of the Development Agreement between the City of San Diego and Pardee Construction Company in 1988, the Casa Mira View project provided “extraordinary and significant transit, transportation, educational, recreational, cultural and regional benefits and facilities and other supplemental benefits” (improvements are addressed in Appendix A to the TIA, refer to *Appendix B* of this EIR). The City found that many of the benefits “are of regional significance; relate to existing deficiencies in public facilities; require property owner to contribute a greater percentage of benefits than would otherwise be required because the development agreement guarantees development rights over and above those received in the normal entitlement process; and represent benefits which would not otherwise be required as part of the development process.” In 2002, the City provided Pardee Homes (formerly known as Pardee Construction Company) with a “Release of Obligations Under Development Agreements,” which certified that the improvements called for in the Development Agreement were completed. The Development Agreement provided substantial improvements to Black Mountain Road and Westview Parkway. Specifically, this includes the widening of Black Mountain Road to six lanes between Galvin Drive and north of Capricorn Way.

Also, prior to and throughout environmental review for this project, the applicant has met with the Mira Mesa Community Group and members of the public to solicit input on the project and

with City staff to address concerns raised during the environmental review of the project. As a result of these meetings and the City's review, the applicant has made changes to the original project design, such as to landscaping and architecture. No additional changes have occurred to the project.

Lastly, as part of a separate project, the California Department of Transportation (Caltrans) is currently analyzing the implementation of a direct access ramp (DAR) to connect local street traffic in Mira Mesa to the Managed Lanes facility on I-15. Four locations ~~are being~~ were analyzed for implementation of the DAR with I-15: Galvin Avenue, Hillery Drive, Maya Linda Road and an Eastern Connection. Caltrans is no longer pursuing the Maya Linda Road or the Eastern Connection alternatives and is solely moving forward with further analysis on the Galvin Avenue and Hillery Drive alternatives. Should Caltrans select to implement the DAR project at the Galvin Avenue location, the Casa Mira View project would be affected since the Galvin DAR location would utilize the approximate southern third of the Casa Mira View project site. For more information, refer to *Chapter 8.0, Cumulative Impacts*.